

CITY OF HOBOKEN
PLANNING BOARD

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REGULAR MEETING OF THE HOBOKEN : August 2, 2016
PLANNING BOARD : 7:02 p.m.
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Held At: 94 Washington Street
Hoboken, New Jersey

B E F O R E:

Chairman Gary Holtzman
Vice Chair Frank Magaletta
Commissioner Caleb D. Stratton
Commissioner Jim Doyle
Commissioner Ann Graham
Commissioner Caleb McKenzie
Commissioner Ryan Peene
Commissioner Rami Pinchevsky
Commissioner Tom Jacobson
Commissioner Kelly O'Connor

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Board Planner

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1 CHAIRMAN HOLTZMAN: Ready, gentlemen?

2 Okay. We are going to get started
3 here, folks.

4 Thank you.

5 It is Tuesday, August 2nd. It is 7:02
6 p.m. This is the Hoboken Planning Board Meeting.

7 I would like to advise all of those
8 present that notice of this meeting has been
9 provided to the public in accordance with the
10 provisions of the Open Public Meetings Act, and that
11 notice was published in The Jersey Journal and on
12 the city's website. Copies were also provided to
13 The Star-Ledger, The Record, and also placed on the
14 bulletin board in the lobby of City Hall.

15 Pat, please call the roll.

16 MS. CARCONE: Commissioner Holtzman?

17 CHAIRMAN HOLTZMAN: Here.

18 MS. CARCONE: Commissioner Magaletta is
19 going to be late.

20 Commissioner Stratton?

21 COMMISSIONER STRATTON: Here.

22 MS. CARCONE: Commissioner Forbes is
23 absent.

24 Commissioner Doyle?

25 COMMISSIONER DOYLE: Here.

1 MS. CARCONE: Commissioner Graham?

2 COMMISSIONER GRAHAM: Here.

3 MS. CARCONE: Commissioner McKenzie?

4 COMMISSIONER MC KENZIE: Here.

5 MS. CARCONE: Commissioner Pinchevsky

6 is absent.

7 Commissioner Peene?

8 COMMISSIONER PEENE: Here.

9 MS. CARCONE: Commissioner Jacobson?

10 COMMISSIONER JACOBSON: Here.

11 MS. CARCONE: Commissioner O'Connor?

12 COMMISSIONER O'CONNOR: Here.

13 CHAIRMAN HOLTZMAN: Thank you.

14 So the first item on our agenda is a

15 presentation from Jon Carnegie.

16 Mr. Carnegie, can you come on up?

17 MR. CARNEGIE: Thank you very much, Mr.

18 Chairman, Members of the Board, and Caleb, for

19 helping to schedule this.

20 (Vice Chair Magaletta present)

21 MR. CARNEGIE: You may recall that I

22 was here about 16 or 18 months ago to tell you about

23 this crazy thing that we were planning to do, which

24 was to conduct a Health Impact Assessment related to

25 some of the resiliency planning going on in the

1 city, and in particular related to the proposed
2 amendments to the stormwater management plan and the
3 implementation work here in the city, so I'm here
4 tonight --

5 (Commissioner Pinchevsky present)

6 CHAIRMAN HOLTZMAN: Just hang on one
7 second.

8 Please let the record show that
9 Commissioner Magaletta and Commissioner Pinchevsky
10 have joined us.

11 Thank you.

12 MR. CARNEGIE: If anybody needs extra
13 copies --

14 CHAIRMAN HOLTZMAN: We have a couple up
15 here. We're good.

16 MR. CARNEGIE: -- I have a few more
17 here.

18 (Dennis Galvin, Esquire here)

19 MR. CARNEGIE: So I am here tonight to
20 review with you some of the findings and our
21 recommendations, which hopefully will be useful to
22 you as you eventually consider changes to the
23 stormwater management plan to make green
24 infrastructure in the city.

25 I put together some slides here that

1 kind of tell the story of the work that we did, the
2 process we undertook, and then the results that we
3 came up with.

4 So the Health Impact Assessment is a
5 structured process for considering the health
6 impacts of policy and planning decisions, and in
7 this case we were looking at the adoption of a green
8 infrastructure approach to the stormwater management
9 here in the city to help mitigate flooding and the
10 problems of the combined sewer system.

11 There are six basic steps to HIA that
12 included everything from sort of thinking about and
13 figuring out what decision you would like to
14 consider all the way up to doing an assessment on
15 what the projected health impacts might be of that
16 decision, making some recommendations and reporting
17 out to stakeholders that might use the information
18 to inform decisions, including members of the
19 public, deliberative bodies, such as yourself, City
20 Council and such. So I will actually also be making
21 a presentation to City Council tomorrow night on the
22 same subject.

23 The project we did was actually funded
24 by the health impact project, which is a
25 collaboration of the Pew Charitable Trusts and the

1 Robert Wood Johnson Foundation.

2 In the wake of Hurricane Sandy, the
3 health impact project, which has been for a number
4 of years trying to promote the practice of
5 conducting and using a Health Impact Assessment as a
6 tool to inform policy decisions, they were
7 interested in figuring out if a Health Impact
8 Assessment could be applied in the context of
9 recovery decisions of all different types.

10 So they funded Rutgers University in
11 partnership with a New Jersey future, who handles
12 our communication and outreach aspects and the
13 Sustainability Institute at the College of New
14 Jersey to conduct two health impact assessments, one
15 here in Hoboken, and the other one in Little Egg
16 Harbor down in Ocean County, looking at a voluntary
17 viable program there.

18 And then we had a piece of our project,
19 which was looking at more globally and nationally
20 how the impact assessment has been used in a
21 resiliency planning context, and we have some
22 recommendations for adapting the tool in that
23 regard, so you guys were sort of a case study for
24 that project and what are now five completed health
25 impact assessments in New Jersey.

1 So I mentioned already that the Health
2 Impact Assessment was looking at the stormwater
3 management plan amendments, more specifically at
4 green infrastructure approaches to stormwater
5 management, and we thought that the work of the HIA
6 could provide a forum for stakeholders in the city,
7 the public and others, to think about health in the
8 context of the resiliency planning going on in the
9 city and in terms of stormwater management.

10 We thought that we could can add value
11 to the various decision-making processes that were
12 going on by providing information that wasn't
13 otherwise already kind of bubbling up through the
14 process, particularly the health lens and helping to
15 bring to the fore research that has been gone on, in
16 this case, green infrastructure and what the
17 potential health benefits and risks might be of that
18 relative to flood mitigation.

19 The idea was also to kind of identify
20 opportunities to maximize the benefits, the health
21 related benefits, and to identify what the risks
22 might be, whether they're minor or not, and suggest
23 ways that those can be mitigated as you think about
24 going about implementation of green infrastructure
25 approaches.

1 We looked at essentially as our
2 framework the green infrastructure strategic plan
3 that was developed by the city a couple years ago
4 through the -- the North Jersey planning initiative,
5 and that ultimately the strategic plan became
6 partially the basis for the Rebuild By Design
7 initiative that is ongoing, and I am sure all of you
8 are familiar with that.

9 So when you think about bringing in a
10 health lens, what we call the different ways in
11 which health might come up, and we call them kind of
12 health pathways, so the pathways from the decision
13 to particular health outcome, and the ones that we
14 identified through a public process here in the
15 city, including a number of stakeholders, we had
16 about 25 people gathered in the room to think about
17 this at the beginning of our process, the things
18 that were important were flood management, reducing
19 the combined sewer city overflows and backups,
20 increasing access to green infrastructure and
21 natural futures, which has a number of health
22 benefits associated with it and some health risks,
23 improvements in air quality that result from the
24 green infrastructure changes in ambient room
25 temperatures that are affected as well by green

1 infrastructure, water and soil quality, changes in
2 economic conditions in the city that might be
3 affected and other potential exposures.

4 So when you are thinking about a health
5 pathway, you think about there is a decision, and
6 then there is a sort of a primary effect, a
7 secondary effect and a tertiary effect maybe and
8 then ultimately a health hazard.

9 And an example in the context of this
10 is implementing green infrastructure results in
11 fewer flooding events hopefully. There's
12 significant literature and analysis actually
13 specific to Hoboken that indicates indeed coupling
14 green infrastructure implementation with the wet
15 weather pumping stations here in the city could
16 potentially significantly reduce the number of
17 flooding events.

18 That results in, for example, less
19 damage to the interior buildings, which results in
20 less mold, which has a positive impact on the rates
21 of asthma, so that is the sort of the overall
22 process and an example of the process we went
23 through in terms of thinking about the potential
24 problems.

25 So the big thing with the green

1 infrastructure approach and the efforts of the city
2 related to resiliency was reducing flooding. We
3 weren't really talking about a surge event like
4 Sandy, more the chronic regular flooding that occurs
5 in the city when there is a heavy rainfall.

6 So the literature on the impacts of
7 flooding on health include a wide range of things,
8 some of which were more or less applicable here in
9 the context of Hoboken, including injury and death
10 from drowning. You don't really have that much of a
11 problem with drowning here in the city, but it
12 certainly is a risk whenever there is a significant
13 amount of water sitting around.

14 Infectious disease and related
15 symptoms, such as vomiting and diarrhea and such
16 from exposure to contaminated waters, respiratory
17 conditions and illnesses increasing unhealthy
18 personal behaviors, because of the stress associated
19 with chronic flooding, sleep loss, depression and
20 things like that, as well as disruptions in daily
21 life that could have a significant health impact, so
22 those are the types of impacts that we looked at.

23 We did a survey of city residents. We
24 actually got 400 responses, completed responses,
25 from a rather lengthy survey that provided us with a

1 good base of information on what residents
2 experience relative to flooding in the city.

3 One of the things that came up most
4 frequently was being exposed to the sewer backups
5 caused by the excess of stormwater in the combined
6 sewer system, and that many of the things that we
7 saw in the literature were proven out by the
8 research that we did here in the city and the data
9 we collected from residents.

10 There's a couple of graphics in the
11 slides here about the particular results relative to
12 Hoboken residents in terms of the health impacts.

13 One of the things that we also found
14 was low income residents, older adults, and people
15 with disabilities tended in terms of the survey
16 responses to be more vulnerable to the impacts of
17 flooding largely because of the way the city is sort
18 of situated in terms of where lower income residents
19 live within the city and relative to its topography
20 and such, so we did find a fairly sort of
21 inequitable distribution of the impacts of flooding,
22 and that's something that sort of informed our
23 recommendations in terms of how the city can and
24 should be thinking about implementing green
25 infrastructure.

1 There are ways that the green
2 infrastructure implementation could be used to sort
3 of repair some of the harm that has been historic to
4 those vulnerable populations in the city.

5 There are a whole host of potential
6 benefits associated with green infrastructure,
7 including and most importantly, the flood mitigation
8 potential in terms of volume and peak discharge.

9 The green infrastructure strategic plan
10 did a very good job of kind of arraying the types of
11 options that are under consideration here in
12 Hoboken, and we did a more in-depth effort to
13 document within the literature both academic and
14 professional studies that we have done relative to
15 actually documenting how strong the evidence is for
16 the different types of benefits that are derived.

17 There are ecological benefits related
18 to water quality and creation of wildlife habitat,
19 air quality benefits, I indicated before, heat
20 island effect. The adding of vegetation in the city
21 will have an impact on ambient heat temperatures,
22 and that has been sort of observed in a number of
23 academic and regular studies.

24 There is some noise pollution reduction
25 and things like that, beautification and expanding

1 opportunities for recreation, all of those things
2 sort of have a pathway to improving health outcomes.

3 We also discovered that it will be very
4 important to pay careful attention to the design and
5 citing of different infrastructure, green
6 infrastructure pieces because there are some risks,
7 albeit minor and certainly manageable, but some of
8 the risks that were identified were creating new
9 places where there would be standing water, which
10 might increase smells and provide breeding ground
11 for mosquitoes, and if not properly managed, could
12 result in some negative effects.

13 Increase in vegetation could lead to
14 sort of allergy problems, so the selection of
15 species, there are ways to manage the types of
16 vegetation that's used and its results in effects on
17 respiratory health.

18 Even things like street trees not
19 properly managed through urban forestry could result
20 in limb damage and falling of wires and things like
21 that, so the idea was here to highlight those things
22 because it is important to think about them as you
23 are moving forward with implementation, and while
24 the stormwater management plan amendments are
25 intended to sort of work with the development

1 process, it will be important as you are doing
2 development reviews, I guess it is sort of
3 appropriate given the Stevens' application here that
4 I am just learning about this conversation, using --
5 you can use the information that's in the Health
6 Impact Assessment to kind of inform your
7 deliberations about what is happening with
8 infrastructure, green infrastructure implementation.

9 There are also things that were of
10 particular concern to the lower income residents
11 that we met with. We actually did focus groups with
12 older residents here in town and residents of the
13 Housing Authority, and they were particularly
14 concerned about providing more opportunities for
15 negative kind of community effects based on their
16 observational experiences with parks and things like
17 that. The more places you create, which are natural
18 and gathering places and things like that provide an
19 opportunity perhaps for graffiti and loitering and
20 crime, if not managed well, and while supervised
21 could end up making things more challenging for
22 people that live near them.

23 They were particularly interested in
24 perhaps the longer term maintenance costs, affecting
25 taxes and things like that. The seniors were very

1 worried about that, and then there were concerns
2 expressed about the fact that green infrastructure
3 might make Hoboken an even nicer place to live and
4 create upward pressure on rents and things like
5 that.

6 So all of those things are really
7 potential outcomes of the green infrastructure
8 implementation, and what we did through the Health
9 Impact Assessment is sort of assess and characterize
10 those potential risks in the context of what was
11 being considered here in Hoboken and looked at them
12 in terms of how likely the health effect might
13 occur, how likely it was that the health effect
14 occur, the direction of that health effect, whether
15 that's positive or negative, the magnitude, whether
16 it is a sort of high level of benefit or risk or low
17 or moderate, how long that benefit might last, what
18 the distribution of those effects might be.

19 For instance, providing flood
20 mitigation for the low lying area of the city, where
21 lower income residents live. That provides a kind
22 of restorative benefit to the people living in those
23 neighborhoods because they no longer have to deal
24 with flooding.

25 At the same time there might be some

1 instances where there's disproportionate harm
2 associated with folks that live immediately adjacent
3 to whatever that green infrastructure is, if there
4 is a minor negative effect.

5 So the Health Impact Assessment kind of
6 documents all of this in a, I guess, with all the
7 appendices, a rather lengthy report, but the report
8 itself is about 50 pages long or something like
9 that, so not too, too burdensome.

10 I did include in the packet here the
11 Executive Summary, which summarizes the findings and
12 the recommendations.

13 So all of that led us to the conclusion
14 that, indeed, the pursuit of green infrastructure
15 implementation here in the city through the proposed
16 stormwater management plan and ordinance amendments
17 could have a variety of positive and some minor
18 risks that I have just described.

19 Most importantly, we did some further
20 analysis of the work that had been done as part of a
21 couple different studies, one for the North Hudson
22 Sewerage Authority and one as part of the green
23 infrastructure strategic plan to determine that the
24 combination of the wet weather pumping stations that
25 are one -- being implemented, I guess, I don't know

1 if it's finished yet by the Maxwell property, and
2 the other one that has been in place for a couple of
3 years, combined with the comprehensive
4 implementation of green infrastructure could
5 substantially reduce or even eliminate the regular
6 flooding events that occur in the city.

7 The particular example we had was the
8 work that was done for the wet weather pumping
9 station analysis that indicated that they were sort
10 of designing those pumps to eliminate all but the
11 worst of the worst flooding events, so there were
12 like four events that exceeded the capacity of the
13 pump, and the additional capacity, the storage
14 capacity and volume control provided by the green
15 infrastructure strategic plan was more than enough
16 to eliminate those four assessments.

17 So that isn't to say that there
18 wouldn't be flooding in the future in Hoboken, but
19 the types of events that were experienced in 2013
20 when the study was done could have been
21 significantly mitigated or eliminated for those
22 types of events.

23 So that provides all of the health
24 effects that are negative associated with flooding
25 would then thereby be mitigated by the

1 implementation of what is being proposed. Fewer
2 flooding events and fewer combined sewer service --
3 combined sewer system events would have all of the
4 positive effects of eliminating the negative effects
5 of flooding.

6 In addition to that, many of the
7 benefits that are described in the report, and I
8 briefly talked about tonight in terms of access to
9 green infrastructure really have -- there is an
10 opportunity to maximize those benefits and minimize
11 the risks through careful planning.

12 So we came up with six recommendations,
13 which have a number of detailed actions associated
14 with them, and those are in the Executive Summary
15 not presented in the slides.

16 The first is related to ensuring that
17 the longevity and the potential benefits of green
18 infrastructure are really insured by careful design
19 monitoring in a robust program of ongoing
20 maintenance.

21 It was very clear from the literature
22 that maintenance is really key to having both the
23 flood mitigation benefits, but also all of the
24 health related co-benefits of green infrastructure,
25 so this isn't a sort of put it in the ground, and it

1 takes care of itself. These are mini engineered
2 systems. You know, they are essentially natural
3 systems that we are creating through engineering,
4 and they do require upkeep, attention, monitoring,
5 inspections and maintenance.

6 CHAIRMAN HOLTZMAN: Mr. Carnegie, we
7 have got the slides that you provided to us. I
8 think you have laid out a very good recap, and we
9 have the Executive Summary and the conclusions here.

10 Could you just head to the conclusion
11 yourself?

12 MR. CARNEGIE: Sure.

13 So you have the slides. The
14 recommendations are presented there.

15 In terms of ensuring the co-benefits,
16 we think that there are opportunities to leverage
17 the investment and work that is going on here in
18 Hoboken to improve the economic conditions for low
19 income residents by paying attention to allowing
20 those residents a pathway to working on the ongoing
21 maintenance and operation of green infrastructure.

22 A partnership with the North Hudson
23 Sewerage Authority to ensure that green
24 infrastructure is a robust part of the long-term
25 control plan for CSOs. It is critical.

1 There certainly seems to be
2 opportunities for more public education and
3 outreach.

4 The survey we did indicated that only
5 about half of the surveyed respondents were actually
6 aware of the work in the city related to green
7 infrastructure in terms of resilience, and that
8 seemed to be an opportunity for the city to bring in
9 other folks to make sure that everybody is aware of
10 the benefits of the work that is going on.

11 And then finally, because of the
12 importance of ongoing maintenance, we recommended
13 that while you are at the beginning stages of this,
14 you put in place a monitoring and evaluation
15 structure that would allow you to first off just
16 understand where green infrastructure is being
17 implemented, giving you a mechanism for
18 understanding what needs to be maintained and how
19 it's being maintained and by whom, and keeping track
20 of whether the benefits that were hoped for are
21 actually resulting from the investment in green
22 infrastructure.

23 So those are my recommendations.

24 I do need to acknowledge the hard work
25 of the advisory committee. We had a number of

1 community members here in Hoboken that participated
2 in many meetings both online and in person to help
3 guide our process, and I would be happy to answer
4 any other questions you have.

5 CHAIRMAN HOLTZMAN: Thank you very
6 much.

7 Commissioners, any questions for Mr.
8 Carnegie on his presentation?

9 COMMISSIONER GRAHAM: No. Just thank
10 you for doing that.

11 MR. CARNEGIE: Hopefully you guys can
12 use it, and I will be keeping track.

13 CHAIRMAN HOLTZMAN: Great.

14 Thank you very much, sir.

15 Do you have an electronic link to this
16 presentation that you could provide to us?

17 MR. CARNEGIE: One of the slides here
18 has a link to the final report, and on that same
19 page we will be uploading the slides to that.

20 CHAIRMAN HOLTZMAN: Could you just do
21 us a favor and forward a link to our Board
22 Secretary, so she can distribute it to the
23 Commissioners?

24 MR. CARNEGIE: I sure can.

25 CHAIRMAN HOLTZMAN: Great.

1 Thank you very much.

2 MR. CARNEGIE: Thank you.

3 CHAIRMAN HOLTZMAN: The next item on
4 our agenda is we have three resolutions for
5 memorialization. A number of Commissioners gave us
6 some additional input on that, so we appreciate that
7 to get these resolutions tidied up.

8 The first one on our agenda is 527
9 Monroe. This is a resolution of denial of this
10 application.

11 MS. CARCONE: Voting on that is
12 Commissioner Magaletta, Commissioner Doyle,
13 Commissioner Graham, Commissioner Pinchevsky and
14 Commissioner Jacobson. That was the vote to deny.

15 CHAIRMAN HOLTZMAN: Commissioners, any
16 additional questions or comments?

17 If not, is there a motion to accept the
18 denial?

19 COMMISSIONER DOYLE: Motion.

20 CHAIRMAN HOLTZMAN: Motion.

21 A second?

22 VICE CHAIR MAGALETTA: Second.

23 CHAIRMAN HOLTZMAN: Please call the
24 roll.

25 MS. CARCONE: Commissioner Doyle?

1 COMMISSIONER DOYLE: Yes.

2 MS. CARCONE: Commissioner Graham?

3 COMMISSIONER GRAHAM: Yes.

4 MS. CARCONE: Commissioner Pinchevsky?

5 COMMISSIONER PINCHEVSKY: Yes.

6 MS. CARCONE: Commissioner Jacobson?

7 COMMISSIONER JACOBSON: Yes.

8 MS. CARCONE: Commissioner Magaletta?

9 VICE CHAIR MAGALETTA: Yes.

10 CHAIRMAN HOLTZMAN: Okay.

11 Thank you.

12 The second resolution is 526-532 Grand

13 Street.

14 Any additional questions or comments

15 here, Commissioners?

16 MS. CARCONE: What one are you looking

17 at?

18 COMMISSIONER PEENE: 726-732.

19 CHAIRMAN HOLTZMAN: I'm sorry. 726-732

20 Grand.

21 (Laughter)

22 MR. GALVIN: 726.

23 CHAIRMAN HOLTZMAN: 726-732 Grand.

24 MS. CARCONE: Voting to approve this

25 resolution is Commissioner Magaletta, Commissioner

1 Doyle, Commissioner Graham, Commissioner McKenzie,
2 Commissioner Peene, Commissioner Jacobson and
3 Commissioner O'Connor and Commissioner Holtzman.

4 CHAIRMAN HOLTZMAN: And this has this a
5 memorandum attached to it from our LSRP.

6 MR. HIPOLIT: Yes.

7 CHAIRMAN HOLTZMAN: Okay.

8 Is there a motion to accept?

9 COMMISSIONER PEENE: So moved.

10 CHAIRMAN HOLTZMAN: Second?

11 VICE CHAIR MAGALETTA: Second.

12 CHAIRMAN HOLTZMAN: Call that, please.

13 MS. CARCONE: Commissioner Magaletta?

14 VICE CHAIR MAGALETTA: Yes.

15 MS. CARCONE: Commissioner Doyle?

16 COMMISSIONER DOYLE: Yes.

17 MS. CARCONE: Commissioner Graham?

18 COMMISSIONER GRAHAM: Yes.

19 MS. CARCONE: Commissioner McKenzie?

20 COMMISSIONER MC KENZIE: Yes.

21 MS. CARCONE: Commissioner Peene?

22 COMMISSIONER PEENE: Yes.

23 MS. CARCONE: Commissioner Jacobson?

24 COMMISSIONER JACOBSON: Yes.

25 MS. CARCONE: Commissioner O'Connor?

1 COMMISSIONER O'CONNOR: Yes.

2 MS. CARCONE: Commissioner Holtzman?

3 CHAIRMAN HOLTZMAN: Yes.

4 Thank you.

5 The third one is 520 -- 5 -- I'm

6 sorry -- 462 Newark Street.

7 (Laughter)

8 Mr. Hipolit, you have an addition to

9 this that you forwarded to Mr. Galvin?

10 MR. HIPOLIT: I already sent it to

11 Dennis.

12 MR. GALVIN: Mr. Matule, on 462 Newark,

13 you and I had a conversation today about upgrading

14 condition number 11 to provide an exhaust.

15 I sent you over some language --

16 MR. MATULE: Yes.

17 MR. GALVIN: -- but it's not the

18 language we're going to use. I just want you to

19 hear the language, okay?

20 MR. MATULE: Okay.

21 MR. GALVIN: Mr. Hipolit just provided

22 it to me.

23 The applicant shall provide a kitchen

24 venting system that uses electrostatic precipitation

25 technology that provides over 95 percent efficient

1 removal of smoke and fumes.

2 The system shall remove both large and
3 microscopic contaminants. The system shall be
4 self-cleaning, or the applicant must have a
5 maintenance contract for cleaning in accordance with
6 manufacturer recommendations.

7 Proof of cleaning shall be provided to
8 the city upon request.

9 MR. MATULE: So, Mr. Hipolit, if I
10 might put that in a non engineer's terms --

11 CHAIRMAN HOLTZMAN: Why don't you come
12 up here, Mr. Matule?

13 MR. MATULE: -- that is the equivalent
14 of -- is that the basic technology used in the Smog
15 Hog type devices?

16 MR. HIPOLIT: Yes. I mean, there are
17 other manufacturers, but that is the standard.

18 MR. MATULE: Right.

19 CHAIRMAN HOLTZMAN: We're trying to get
20 some generic language in there.

21 MR. MATULE: Right.

22 CHAIRMAN HOLTZMAN: Right, but want it
23 to be specific.

24 MR. MATULE: But it's as opposed to a
25 filtration type system.

1 MR. HIPOLIT: Correct.

2 MR. GALVIN: Because I looked at the
3 Smog Hog, and I drafted it based on looking at that,
4 so --

5 MR. MATULE: Yes, I have the
6 literature.

7 MR. GALVIN: -- we've upgraded to the
8 engineer.

9 (Laughter)

10 CHAIRMAN HOLTZMAN: Okay. So that is
11 in addition to --

12 MR. GALVIN: So whoever makes the
13 motion should make the motion amending the
14 resolution to make that change to Condition 11,
15 which everyone should be in favor of because it
16 upgrades what was previously offered by the
17 applicant, and we graciously appreciate that.

18 CHAIRMAN HOLTZMAN: Thank you.

19 MS. CARCONE: Okay.

20 Voting is Commissioners Holtzman,
21 Magaletta, Graham, McKenzie, Peene, Jacobson and
22 O'Connor.

23 CHAIRMAN HOLTZMAN: Is there a motion
24 to accept with the additions of the modifications to
25 the exhaust system?

1 COMMISSIONER MC KENZIE: Motion.
2 COMMISSIONER GRAHAM: Yes.
3 COMMISSIONER PEENE: Second.
4 CHAIRMAN HOLTZMAN: Call the roll.
5 MS. CARCONE: Commissioner Magaletta?
6 VICE CHAIR MAGALETTA: Yes.
7 MS. CARCONE: Commissioner Graham?
8 COMMISSIONER GRAHAM: Yes.
9 MS. CARCONE: Commissioner McKenzie?
10 COMMISSIONER MC KENZIE: Yes.
11 MS. CARCONE: Commissioner Peene?
12 COMMISSIONER PEENE: Yes.
13 MS. CARCONE: Commissioner Jacobson?
14 COMMISSIONER JACOBSON: Yes.
15 MS. CARCONE: Commissioner O'Connor?
16 COMMISSIONER O'CONNOR: Yes.
17 MS. CARCONE: Commissioner Holtzman?
18 CHAIRMAN HOLTZMAN: Yes.
19 Thank you.
20 Okay. Great.
21 (Continue on next page)
22
23
24
25

CITY OF HOBOKEN
PLANNING BOARD
HOP-16-10

- - - - - X
RE: 71-73 Monroe Street : August 2, 2016
BLOCK: 16, Lots 5 & 6 :
ZONE: R-3 :
APPLICANT: 71 Monroe Associates : 7:30 p.m.
SUMMARY: Minor Site Plan Review & :
Variances :
- - - - - X

Held At: 94 Washington Street
Hoboken, New Jersey

B E F O R E:

Chairman Gary Holtzman
Vice Chair Frank Magaletta
Commissioner Caleb D. Stratton
Commissioner Ann Graham
Commissioner Caleb McKenzie
Commissioner Ryan Peene
Commissioner Rami Pinchevsky
Commissioner Tom Jacobson
Commissioner Kelly O'Connor

A L S O P R E S E N T:

David Glynn Roberts, AICP/PP, LLA, RLA
Board Planner

Andrew R. Hipolit, PE, PP, CME
Board Engineer

Patricia Carcone, Board Secretary

PHYLLIS T. LEWIS
CERTIFIED SHORTHAND REPORTER
CERTIFIED REALTIME REPORTER
Phone: (732) 735-4522

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Attorney for the Applicant.

I N D E X

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KENNETH OCHAB	84

E X H I B I T S

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A-2	Revised Plans	41
A-3	Photo Board	84
A-4	Photo Board	84
A-5	Photo Board	84

1 CHAIRMAN HOLTZMAN: Mr. Matule, don't
2 go far, please.

3 We are going to start off with 71-73
4 Monroe.

5 MR. MATULE: Okay.

6 (Board members confer)

7 COMMISSIONER MC KENZIE: Gary, can they
8 move that up? I can't see it at all.

9 CHAIRMAN HOLTZMAN: Okay.

10 Mr. Matule, can we get this easel
11 raised up at all or --

12 COMMISSIONER PEENE: Or moved over.

13 CHAIRMAN HOLTZMAN: -- moved over?

14 Oh, it is not on an easel, that's why.

15 (Laughter)

16 MR. BODNAR: No, it's a secondary
17 easel.

18 CHAIRMAN HOLTZMAN: It's on a chair.
19 All right. So we got what we got, okay?

20 You're not going to stand there and
21 hold it the whole night.

22 MR. MATULE: We will get to that.

23 CHAIRMAN HOLTZMAN: We'll get to that.
24 Put it down. It is distracting.

25 MR. MATULE: All right.

1 CHAIRMAN HOLTZMAN: Here we go.

2 MR. MATULE: Good evening, Mr.

3 Chairman, Board Members.

4 Robert Matule, appearing on behalf of
5 the applicant.

6 CHAIRMAN HOLTZMAN: Hang on there one
7 second, Mr. Matule.

8 We're going to have a roll call,
9 please, Ms. Carcone.

10 MS. CARCONE: Okay.

11 CHAIRMAN HOLTZMAN: Take your time.
12 Don't rush. I know I got you in the middle of
13 something there, sorry.

14 MS. CARCONE: No, no, no, that's fine.
15 Commissioner Magaletta?

16 VICE CHAIR MAGALETTA: Here.

17 MS. CARCONE: Commissioner Stratton?

18 COMMISSIONER STRATTON: Here.

19 MS. CARCONE: Commissioner Forbes is
20 still absent.

21 Commissioner Doyle is --

22 CHAIRMAN HOLTZMAN: Stepped off.

23 MS. CARCONE: -- stepped off.

24 MR. GALVIN: Or out, but he's not here.

25 CHAIRMAN HOLTZMAN: Stepped out, so

1 he's not here.

2 MR. GALVIN: So just continue to call
3 the roll.

4 He's not present.

5 MS. CARCONE: Not present, okay.

6 Commissioner Graham?

7 COMMISSIONER GRAHAM: Here.

8 MS. CARCONE: Commissioner McKenzie?

9 COMMISSIONER MC KENZIE: Here.

10 MS. CARCONE: Commissioner Peene?

11 COMMISSIONER PEENE: Here.

12 MS. CARCONE: Commissioner Pinchevsky?

13 COMMISSIONER PINCHEVSKY: Here.

14 MS. CARCONE: Commissioner Jacobson?

15 COMMISSIONER JACOBSON: Here.

16 MS. CARCONE: Commissioner O'Connor?

17 COMMISSIONER O'CONNOR: Here.

18 MS. CARCONE: Commissioner Holtzman?

19 CHAIRMAN HOLTZMAN: Here.

20 Thank you.

21 Mr. Matule, the floor is yours.

22 MR. MATULE: Sure. Thank you.

23 This is an application for a minor site
24 plan approval and variances to construct a
25 five-story, seven residential unit building, four

1 residential floors over parking with five parking
2 spaces.

3 We have one amendment to the plan we
4 would like to request the Board's indulgence on,
5 which is generating an additional C variance.

6 Mr. Bodnar will go into the specifics
7 of it, but the applicant has had several meetings
8 with the pastor of St. Joseph's Church next door --

9 CHAIRMAN HOLTZMAN: Okay.

10 MR. MATULE: -- a concern was raised
11 about what the effect of having a zero front yard
12 setback would have on the visibility of the facade,
13 the historic facade and the tower of St. Joseph's
14 Church as people are traveling south on Monroe
15 Street.

16 As a result of those meetings and
17 conversations, what Mr. Bodnar has been able to do
18 is slide the whole building back two feet eight
19 inches on the north side, which brings our planters
20 within our property line and results in
21 approximately a five foot setback on the south side
22 of the building, which exposes the north face of
23 that tower.

24 CHAIRMAN HOLTZMAN: Okay.

25 MR. MATULE: As a result of that, I

1 don't know if Mr. Roberts wants to weigh in on this,
2 but I believe even though our planters are touching
3 the zero lot line, we may need a front yard setback
4 variance.

5 CHAIRMAN HOLTZMAN: That can be within
6 ten feet.

7 MR. MATULE: We could be zero or five,
8 but we're in between. At one point we are two feet
9 eight inches, and at another part we are zero --

10 MR. GALVIN: That is true. That's the
11 way the ordinance reads. It's zero or five. It may
12 not make sense, but --

13 MR. MATULE: -- so I thought we should
14 just to be on the prudent side ask for the variance.

15 Our notice did say "and any other
16 variances, which the Board may deem necessary," so I
17 just wanted to get that out there and make it clear
18 because Mr. Bodnar is going to be referring to some
19 revised site plans showing that, and I have handouts
20 for the Board members.

21 CHAIRMAN HOLTZMAN: Okay.

22 MR. MATULE: Before we start, though,
23 Mr. Bodnar, let's mark your rendering as A-1, and
24 just state for the record what it is.

25 (Exhibit A-1 marked)

1 MR. BODNAR: This is the front
2 elevation looking south towards the church in
3 question. This plan was actually set up after the
4 zero -- when the building was set at the zero lot
5 line --

6 VICE CHAIR MAGALETTA: So facing west?

7 MR. BODNAR: Facing southeast.

8 VICE CHAIR MAGALETTA: Okay.

9 For our perspective, it's south --

10 MR. BODNAR: Here's our building, which
11 is facing --

12 THE REPORTER: Do you have to swear him
13 in?

14 MR. GALVIN: Oh, yes, I do.

15 I'm lucky I have such a great court
16 reporter.

17 Raise your right hand.

18 MR. MATULE: Oh.

19 (Laughter)

20 MR. GALVIN: Do you swear or affirm the
21 testimony you are about to give in this matter is
22 the truth, the whole truth, and nothing but the
23 truth?

24 MR. BODNAR: Yes, I do.

25

1 R U S S E L L B O D N A R, having been duly sworn,
2 testified as follows:

3 MR. GALVIN: State your full name for
4 the record and spell your last name.

5 THE WITNESS: Yes.

6 My first name is Russell. My last name
7 is Bodnar, B-o-d-n-a-r.

8 I reside at 52 Long Hill Road --

9 MR. GALVIN: And are you still a
10 well-respected architect?

11 THE WITNESS: Yes.

12 (Laughter)

13 MR. GALVIN: Mr. Chairman, do we accept
14 his credentials?

15 CHAIRMAN HOLTZMAN: We do.

16 (Everyone talking at once.)

17 MR. GALVIN: Woah, Woah.

18 And is everything that you testified to
19 so far still true?

20 THE WITNESS: Yes.

21 MR. GALVIN: All right.

22 You may proceed.

23 MR. MATULE: All right.

24 Before we proceed, Mr. Bodnar, you do
25 have a revised set of plans here, and I am just

1 going to for the record mark them A-2.

2 (Exhibit A-2 marked)

3 And when you go through the plans,
4 could you just explain to the Board members what the
5 revisions are?

6 And you can pass them around.

7 THE WITNESS: Okay.

8 MS. CARCONE: What is the date on the
9 plans?

10 THE WITNESS: That would be --

11 MR. MATULE: That would be hard to
12 read.

13 (Laughter)

14 VICE CHAIR MAGALETTA: 7/25.

15 MR. MATULE: 7/25/16.

16 You know what, Russ, put that down a
17 minute.

18 So if you would, Mr. Bodnar, would you
19 describe the existing site and the surrounding area?

20 THE WITNESS: Yes.

21 The existing site right now is a
22 one-story residence on the site itself. It is a 50
23 by a hundred lot, 5,000 square feet.

24 We are taking the existing residence
25 down. We are proposing a new building.

1 The new building, we're going to ask
2 for a couple variances as per the new one that we
3 just spoke about, which is heading up the front
4 facade at two feet eight inches.

5 The building actually has a double
6 facade --

7 MR. GALVIN: Can I stop you?

8 We have a plan at the meeting. I am a
9 little -- is this a new plan?

10 MR. MATULE: The only thing --

11 MR. GALVIN: It's not something our
12 team looked at?

13 MR. MATULE: -- the only thing that's
14 changed on here is we called out the additional
15 variance in the zoning table and on Sheet PB-2, it
16 shows the new setbacks.

17 MR. HIPOLIT: Five foot setback.

18 MR. GALVIN: Just give us one second.

19 (People yelling and screaming outside)

20 CHAIRMAN HOLTZMAN: They like the plan
21 outside.

22 (Laughter)

23 MS. CARCONE: We might be able to close
24 the windows now because the air conditioner seems to
25 be running.

1 CHAIRMAN HOLTZMAN: Why don't you check
2 with the air conditioner man in the hall before he
3 falls through the ceiling?

4 MS. CARCONE: Okay.

5 MR. GALVIN: Andy, are you okay with
6 that?

7 MR. MATULE: PB-2 and PB-3 --

8 MR. HIPOLIT: He has to testify and I
9 have to check --

10 CHAIRMAN HOLTZMAN: So is the short of
11 it that the plan is exactly the same, but it gets
12 pushed back two feet eight inches?

13 MR. MATULE: On one side, and five feet
14 on the other.

15 THE WITNESS: Well, you know, it's
16 pushed back two feet eight from the original number.

17 MR. MATULE: Yes.

18 THE WITNESS: The building was already
19 set back some of it at two feet four, because we
20 took the bays, and we moved this building to the lot
21 line where the bays were at one point to start the
22 building.

23 CHAIRMAN HOLTZMAN: Is there a change
24 in the shape of the footprint?

25 THE WITNESS: No.

1 MR. MATULE: No, or the volume has not
2 changed --

3 THE WITNESS: No.

4 MR. MATULE: -- the whole thing has
5 just --

6 THE WITNESS: Shifted.

7 MR. GALVIN: And let me just say this.

8 You guys came in tonight, and you said,
9 hey, we would be willing to move this thing back 2.8
10 feet, we'd say you would have to submit a revised
11 plan, so our staff will have to verify that these
12 plans are correct after the fact, but it is a bad
13 habit to give us a revised plan at a hearing.
14 That's all.

15 MR. MATULE: I totally understand, and
16 I appreciate your indulgence --

17 (Everyone talking at once.)

18 CHAIRMAN HOLTZMAN: Hold on, guys. One
19 at a time.

20 MR. HIPOLIT: How do you keep the 37-8
21 foot dimension in the rear of the property --

22 THE WITNESS: Oh, no. That number
23 changed, but it did not affect the --

24 MR. MATULE: It is called out in the
25 zoning table, Mr. Hipolit.

1 THE WITNESS: It is 32 foot zero

2 rear --

3 (People talking at once)

4 MR. HIPOLIT: So it is wrong on the

5 sheet --

6 CHAIRMAN HOLTZMAN: Hey, we need one
7 person at a time to talk. Otherwise we are going to
8 put this down right now.

9 Andy?

10 MR. GALVIN: We are waiting on Andy --

11 CHAIRMAN HOLTZMAN: We are taking a
12 pause here for a minute, everybody.

13 MR. HIPOLIT: So I'm looking at PB-2 on
14 the original plan --

15 THE WITNESS: Correct.

16 MR. HIPOLIT: -- and the rear yard on
17 the right side says 37 feet, eight inches or six
18 inches --

19 THE WITNESS: 30 feet -- seven feet --
20 eight inches -- and also --

21 MR. HIPOLIT: So hold that dimension.
22 Now go to the new sheet PB-2, and the dimension is
23 the same. How is that possible?

24 THE WITNESS: Let me go to the old one.

25 MR. HIPOLIT: It is off two feet.

1 THE WITNESS: Yes. That number would
2 be incorrect. It is an incorrect number.

3 The other number is correct on the 32
4 on the other side.

5 Do you see, Andy, if you look at the --

6 MR. HIPOLIT: Right. So on sheet --
7 sheet --

8 THE WITNESS: -- I meant to erase that
9 number --

10 MR. HIPOLIT: -- on Sheet PB-2 --
11 Revision 4, the right side dimension 37-6 is wrong.
12 It's incorrect --

13 THE WITNESS: That's right --

14 MR. HIPOLIT: -- it should be 35-6?

15 THE WITNESS: Yeah. I did this really
16 quickly last week, and I just tried to get it back
17 to all of you guys in one shot before we do this --

18 MR. MATULE: Mr. Hipolit, on PB-3, it
19 is also called out correctly --

20 MR. HIPOLIT: 35-0, okay?

21 THE WITNESS: The 35-0, yes.

22 CHAIRMAN HOLTZMAN: Commissioners, any
23 opinions on this bit of a pickle that we find
24 ourselves in this evening?

25 MR. GALVIN: Well --

1 CHAIRMAN HOLTZMAN: What about Mr.
2 Hipolit, are you comfortable with this, not
3 comfortable with this?

4 We have to do it right.

5 COMMISSIONER GRAHAM: I just feel like
6 we've done --

7 CHAIRMAN HOLTZMAN: Ms. Graham has the
8 floor.

9 COMMISSIONER GRAHAM: -- we have told
10 people under similar circumstances to come back, and
11 I just want to be consistent. I am not totally sure
12 that it's similar, but it seems --

13 MR. GALVIN: Let me just interject.

14 What I wanted to try to figure out if
15 this is a simple change, like two feet on something,
16 which was a proffer, and they revised the plans, and
17 they gave it to us.

18 But if they didn't bring the plans
19 tonight, and they proffered two feet, and we
20 approved it, they would submit these plans after the
21 fact.

22 If they are slightly wrong, it might be
23 better just to hand the plans back. Let them offer
24 that they will move it two feet and submit a correct
25 plan at the end, and let them present the case.

1 If there is a lot of moving parts here,
2 then I don't think it is fair to Andy and Dave for
3 us to proceed, and we should carry it.

4 VICE CHAIR MAGALETTA: Right. I was
5 going to say, I think if there's a change, I think
6 our planner and our engineer both need to look at it
7 in that respect --

8 CHAIRMAN HOLTZMAN: So --

9 VICE CHAIR MAGALETTA: -- assuming it
10 seems like it's enough of a change --

11 COMMISSIONER O'CONNOR: So --

12 MR. GALVIN: Just speak up.

13 COMMISSIONER O'CONNOR: -- if -- sorry.

14 I am formulating this thought as I am
15 saying it. But, you know, is there an option to
16 just use the plans that they have sent us, and then
17 if there is a question about the building setback,
18 then they can offer it, and we can still go through
19 the process like we would normally do and --

20 CHAIRMAN HOLTZMAN: Right.

21 I mean, I think what happened here is
22 in their attempt to be good neighbors, they had
23 additional conversations with people in the
24 neighborhood.

25 So the way that that conversation might

1 take place at a hearing, and there might be a give
2 and take, hey, what happens if we push the building
3 back two feet eight inches, which we might
4 comfortably work through during a meeting is kind of
5 being presented to us upfront, and there is a little
6 bit of obviously sloppy work that all of the numbers
7 and adjustments didn't get made, but I am going to
8 ask this question --

9 THE WITNESS: Yes. I know the one
10 number is wrong.

11 CHAIRMAN HOLTZMAN: -- it is still
12 wrong.

13 Did you want me to actually say it
14 louder?

15 THE WITNESS: You can do that. I am
16 sorry.

17 CHAIRMAN HOLTZMAN: I want to ask this
18 question really simply again to Mr. Matule.

19 The footprint of the building is
20 exactly the same?

21 MR. MATULE: Correct.

22 CHAIRMAN HOLTZMAN: The density of the
23 building is exactly the same?

24 MR. MATULE: Correct.

25 CHAIRMAN HOLTZMAN: All we are doing is

1 moving the building back two feet eight inches. The
2 same setbacks are still in place, setbacks of the
3 construction of the building?

4 MR. MATULE: Yes.

5 THE WITNESS: Except the rear yard --

6 MR. MATULE: The rear yard setback is
7 obviously changing by an equal distance.

8 CHAIRMAN HOLTZMAN: The setback of the
9 rear yard, but I meant setbacks of the actual
10 construction of the building.

11 It is like we took the building and we
12 just shoved it backwards.

13 MR. MATULE: Correct.

14 CHAIRMAN HOLTZMAN: Is that correct?

15 MR. MATULE: Correct.

16 CHAIRMAN HOLTZMAN: Okay.

17 That being said, gentlemen?

18 MR. ROBERTS: Mr. Chairman, I think
19 from my point of view, my main concern was by
20 sliding the building back, and now the planter is
21 being on the lot with the building, to double check
22 the coverage figure. But since the plan -- the
23 coverage has to do with the physical limits of the
24 building, not the planters, so I would think that
25 that -- what that tells me is that the footprint is

1 just distributed differently on the lot, but it's
2 still the same outer limits of the building, so the
3 coverage should still be 63 percent, which is what
4 we requested.

5 The other thing I wanted to -- the
6 second thing I wanted to make sure of is that
7 putting the building back didn't push them into the
8 rear yard setback, which apparently it does not
9 because I think you still, you only need 30, and you
10 have 30 --

11 MR. MATULE: We still have an excess of
12 30 feet.

13 MR. ROBERTS: Right.

14 So I think we are good as far as from
15 my point of view.

16 MR. MATULE: I think the easiest way to
17 look at the difference is if you have the old plans
18 and the new plans, look on PB-3, and they just show
19 where on the old plan, our north facade was at zero.
20 It is now at 2.8.

21 Then on the old plan our south facade
22 was 28 inches back, and it is now five feet back.

23 MR. HIPOLIT: So I tend to think that
24 going back on what some of the Board members said,
25 the applicant is offering a solution to some public

1 comment from their surrounding neighbors.

2 Me, personally, I don't like the idea
3 of, if the Board is going to act on this, you are
4 approving a set of plans that we have not looked at
5 yet.

6 If you want to have them go ahead and
7 testify to making these changes, testify to what
8 changes and implications would be based on the plans
9 that were last revised -- I don't know, it is
10 revision three, then I would say you could do that.

11 You could take a vote to prepare a
12 resolution contingent upon us reviewing the plans.
13 I would feel much more comfortable with that because
14 the new plans, I don't -- we already found at least
15 one error on it.

16 CHAIRMAN HOLTZMAN: Mr. Peene?

17 COMMISSIONER PEENE: Yes.

18 I don't have a set of the plans.

19 My concern was reading Dave's planning
20 report how the new plan would affect his comments on
21 the rear yard setback and going into the donut.
22 That is an analysis --

23 MR. ROBERTS: Right.

24 But I think basically what I pointed
25 out, Commissioner, the main thing that we said in

1 our planning report is they seem to be compliant in
2 all respects, why the three percent additional
3 coverage.

4 CHAIRMAN HOLTZMAN: Yeah.

5 MR. ROBERTS: That would apply whether
6 the building is set back five foot or --

7 COMMISSIONER PEENE: Set back --

8 MR. ROBERTS: -- so it doesn't change
9 that particular comment,

10 That's still testimony we need.

11 COMMISSIONER PEENE: Thank you.

12 COMMISSIONER STRATTON: Gary?

13 CHAIRMAN HOLTZMAN: Yes, Commissioner.

14 COMMISSIONER STRATTON: We have members
15 of the public here to see this case. We have all of
16 the applicant's engineers. I think that I am
17 comfortable enough hearing their case and deferring
18 to Andy's signoff, but to allow them to testify, and
19 I think we should hear this.

20 CHAIRMAN HOLTZMAN: That is a good
21 point.

22 Thank you.

23 MR. GALVIN: I can work the conditions
24 while we are evaluating the case.

25 CHAIRMAN HOLTZMAN: Commissioners,

1 unless there is any strong objections, I think I
2 would like to try to attempt to move forward with
3 this.

4 COMMISSIONER PEENE: May we get copies
5 of this down here --

6 CHAIRMAN HOLTZMAN: Do we have some
7 additional copies of these plans?

8 CHAIRMAN HOLTZMAN: Here. You can take
9 mine.

10 MR. MATULE: Here. Here is one more.

11 CHAIRMAN HOLTZMAN: The Chairman
12 doesn't need a copy.

13 (Board members confer)

14 CHAIRMAN HOLTZMAN: Thank you.

15 Hang on.

16 We have some additional copies.

17 COMMISSIONER PEENE: Thank you.

18 I don't have one, no.

19 THE REPORTER: Does anybody need one
20 more?

21 COMMISSIONER PEENE: One more?

22 MR. GALVIN: We're good.

23 COMMISSIONER PEENE: I'm sorry.

24 MR. MATULE: Thank you for your
25 indulgence.

1 CHAIRMAN HOLTZMAN: Keep it together.

2 MR. MATULE: Mr. Bodnar, why don't you
3 take the Board through the plans, and as you are
4 going through them, point out the specific changes
5 that have resulted from changing the front yard
6 setback.

7 THE WITNESS: Okay. We can go through
8 the main sheet, the first sheet, PB-1.

9 As you can see here, I circled the
10 items that were changed.

11 The setback before was zero. Now it is
12 going to be a two foot eight setback to the front of
13 the building.

14 The rear yard setback went from 30 --
15 from 35 -- to 34 feet eight inches to the 32 foot
16 zero from the rear yard.

17 The maximum rear wall is only 68 feet,
18 so as opposed to before, it was only -- the maximum
19 wall does not exceed the 70 feet, so we are still
20 within compliance.

21 Like I said, the only real variance we
22 have is two foot eight.

23 The rest of the plan stayed the same.
24 The rear yard coverage, which stays the same as
25 well, and I worked those numbers to make sure they

1 would, as well as the 63 percent for the lot
2 coverage, we are asking for the variance, so we did
3 stay within that same exact number.

4 You have five parking spaces, and we
5 have five parking spaces again on the plan, and we
6 are compliant with the roof coverage, the building
7 facade, as well as the floor-to-floor height and the
8 roof deck area.

9 If we go to the second sheet on the
10 plan, which is PB-2, as you can see here on the
11 left-hand side on the existing building itself, that
12 is shown. On the right hand side, the proposed
13 site.

14 As you can see on the right-hand side,
15 it says five foot setback aligned with the adjacent
16 church.

17 When we spoke to the priest, he was
18 asking if we could align his front facade, which is
19 the front steeple area of the church with the front
20 of our building.

21 And I said yes, we can negotiate and
22 push that back to two foot eight, as before this
23 corner was only two foot four recessed back.

24 Our bays that we had originally on the
25 project were actually sticking over our front yard

1 into the right-of-way, and now along the way we have
2 moved all of that back on to our property line, into
3 our property space.

4 So as you can see here on the left, our
5 property from our front yard to our bay area, which
6 is located here, is actually two foot eight. But as
7 you can see on this corner of the property over
8 here, that is aligned with the church at five feet.

9 As we go to the next sheet, which is --

10 CHAIRMAN HOLTZMAN: Mr. Matule, you
11 have to put another easel in the budget.

12 (Laughter)

13 THE WITNESS: -- as we go to the next
14 sheet, PB-3, you can see I actually fixed the rear
15 yard on this page, which has 35 and 32 on the back
16 of the property, as well as the five foot setback on
17 the front of the property and the two foot eight on
18 the adjacent property. The building stayed exactly
19 the same.

20 Our bay at one point originally was a
21 bay that stuck out over the right-of-way, and now
22 our bay is within our property.

23 The bay on the left-hand side was
24 brought to the ground several months ago to make a
25 different feature in our facade, and the bays in the

1 rear also brought down to the ground, so what is
2 reflected above is reflected down below.

3 We have five parking spaces. We have a
4 little lobby. We have a second entry with egress on
5 this side.

6 We do have a sprinkler room that's
7 located -- which is a pipe -- located on the lower
8 first level --

9 CHAIRMAN HOLTZMAN: Mr. Bodnar, hang on
10 a second.

11 Commissioner?

12 COMMISSIONER PINCHEVSKY: Just for
13 clarification, if the bays are now over the property
14 as opposed to over city property, is it not included
15 in the coverage?

16 THE WITNESS: That is why we have the
17 63 percent coverage.

18 COMMISSIONER PINCHEVSKY: But you had
19 63 percent before.

20 THE WITNESS: No, no.

21 We had 63 -- no. We moved -- the bays
22 were always within our property. Originally when we
23 first came to the Board, our bays were over --

24 COMMISSIONER PINCHEVSKY: I thought you
25 were just saying -- you were just stating that the

1 shift of two feet --

2 THE WITNESS: Oh, no. That was -- the
3 earlier shift, we already shifted those bays on to
4 our property, and that is why the building was
5 already set back -- part of the building was already
6 set back, and now we additionally shifted the
7 building back --

8 COMMISSIONER PINCHEVSKY: So the plans
9 we were looking at originally tonight, ten minutes
10 ago, the bays were never over a public --

11 THE WITNESS: The bays were never
12 over --

13 COMMISSIONER PINCHEVSKY: -- okay --

14 THE WITNESS: -- they were always on
15 our property, so I want to make sure everybody
16 understands, that has not changed at all.

17 CHAIRMAN HOLTZMAN: Mr. Magaletta?

18 COMMISSIONER PINCHEVSKY: Thank you.

19 VICE CHAIR MAGALETTA: In the very
20 first application it was --

21 THE WITNESS: Right.

22 VICE CHAIR MAGALETTA: -- now while you
23 are on this page, what is -- that's been shifted
24 back to two foot eight or two --

25 THE WITNESS: Two feet eight.

1 VICE CHAIR MAGALETTA: -- two feet
2 eight.

3 What is the difference between -- on
4 the north side, what is the distance between the
5 back of the building and the back of our building
6 and the back of the neighbor's building?

7 THE WITNESS: It is about ten feet.

8 COMMISSIONER JACOBSON: 12.

9 THE WITNESS: No, ten feet.

10 CHAIRMAN HOLTZMAN: Mr. Jacobson?

11 THE WITNESS: It's about ten. I don't
12 have the exact --

13 CHAIRMAN HOLTZMAN: Do you have an
14 architectural ruler with you?

15 COMMISSIONER JACOBSON: No, and I took
16 their measurements --

17 CHAIRMAN HOLTZMAN: Okay.

18 Tom is actually reading the plan. How
19 about that? 12 feet.

20 THE WITNESS: About 12 feet.

21 (Laughter)

22 CHAIRMAN HOLTZMAN: Mr. Magaletta, are
23 you okay?

24 VICE CHAIR MAGALETTA: I'm good.

25 Thank you.

1 CHAIRMAN HOLTZMAN: Mr. Peene?

2 COMMISSIONER PEENE: Mr. Chairman,
3 thank you.

4 Mr. Bodnar, just so the Board can gain
5 perspective, how much now that you moved the
6 building back 2.8 feet is the church steeple
7 obstructed?

8 THE WITNESS: The church steeple is
9 actually in alignment with the front of our
10 building. The building -- the church is already set
11 back five feet.

12 COMMISSIONER PEENE: Correct.

13 THE WITNESS: So now this rendering is
14 based on the building being at zero setback. So if
15 we take another two foot eight off of this, that
16 would come to leaving, when you're starting to walk
17 down the street at a corner, you would end up seeing
18 that entire corner of the church.

19 COMMISSIONER PEENE: So it will align
20 with the left portion --

21 THE WITNESS: Yes.

22 COMMISSIONER PEENE: -- of the steeple?

23 THE WITNESS: Yes.

24 COMMISSIONER PEENE: My second question
25 for you or I guess, you know, Father or Monsignor,

1 is the church bell operational?

2 THE WITNESS: I don't know.

3 COMMISSIONER PEENE: Okay.

4 A VOICE: No.

5 (People speaking in the audience)

6 MR. GALVIN: Nobody is under oath yet,
7 so let's stick with this --

8 CHAIRMAN HOLTZMAN: We will get to that
9 in a minute. We will get to that.

10 THE WITNESS: Okay.

11 And also, it was important at the back
12 of the church we also -- our building lines up with
13 the other portion of the church from the rear as
14 well, so I have a stipulation when we did this, that
15 this corner of the church here --

16 COMMISSIONER JACOBSON: Which drawing
17 are you on?

18 THE WITNESS: -- this corner in the
19 back -- on PB-2, the rear property line -- the rear
20 property of the building at one point aligns with
21 the church as well.

22 We happened to actually get lucky where
23 the numbers were exactly the same, but already they
24 were 60 feet. So when we did align the church, that
25 corner at 60 feet, but that was one of the other

1 reasons why we didn't go any further back, because
2 there is some light and air he wanted to leave back
3 there, but it's light coming through the back of the
4 windows.

5 COMMISSIONER PEENE: Thank you, Mr.
6 Bodnar.

7 THE WITNESS: Okay. All right.

8 As you can see here, the basic first
9 floor plan, we went through that already, no parking
10 spaces, and the elevator is located upstairs.

11 As we go to the upper levels, as you
12 can see, we moved the building back two foot eight,
13 and as you can see our ondulation bays are within
14 our property line previously, but they are just set
15 back a little bit, two foot eight.

16 The main part of the building, though,
17 is set back five feet.

18 So as you can see upstairs, we have two
19 apartments on the second floor level, and we have
20 two three-bedrooms, three-bath unit, approximately
21 between 1200 and 1300 square feet on that floor, as
22 well as if we went to the third floor, again, we
23 have another two apartments, and they are both
24 approximately 1300 plus square feet, and they are
25 both three-bedroom, three-bathroom.

1 When we go to the fourth floor, we have
2 two apartments. On the fourth floor, we do have a
3 duplex that goes up to the second floor on the front
4 of the building. That's 1800 square feet and a
5 simplex on the back of the building, which is 1300
6 square feet, which is a three-bedroom, three-bath.

7 And on the top floor part, we have a
8 portion, as part of the duplex, which is the fifth
9 floor, that is part of the fourth floor, as well as
10 the four-bedroom, four-bathroom, 2200 square foot
11 unit in the rear part of the project.

12 This page also has all of our flood
13 management information. We have added since then
14 some information in terms of our flood panels, our
15 smart events, as well as we have a pressure rated
16 door that is on the lower level. It is an active
17 door where it's closed and locked, completely
18 locked, so it is almost like a ship's door, so there
19 are some pipes downstairs to get the sprinklers.
20 The sprinkler portion of the pipes are downstairs on
21 the first level, if we go back --

22 CHAIRMAN HOLTZMAN: Walk that back
23 again, Mr. Bodnar. We have to hear that, about
24 this --

25 THE WITNESS: This little sprinkler

1 room here on the first level has our -- it's a
2 hydrostatic pressurized area, where the walls
3 themselves can sustain the water pressure, as well
4 as this door itself is a fully -- basically a ship
5 door, and it is like a flood door that you couldn't
6 get water through, so that door is recommended here.

7 MR. MATULE: So if I could, would it be
8 fair to say that the room is dry flood proofed?

9 THE WITNESS: That's dry flood proofed,
10 yes.

11 MR. HIPOLIT: But this is solely a
12 residential building?

13 THE WITNESS: It's a solely residential
14 building, and we are putting only the sprinkler room
15 in that spot.

16 There were some issues with if we
17 brought it to the second floor. There's something
18 that -- I spoke to the Flood Hazard Management
19 person, Ms. Holtzman, that if we go to the second
20 floor, that sometimes when the water, it comes out
21 of the sprinkler system, sometimes they have a dump
22 of water coming out, that the drain would have to be
23 like a 12-inch by 12-inch drain to accommodate that
24 flood, otherwise it would go out of that room into
25 the hallway and then ruin all of the carpet and the

1 neighboring property --

2 MR. HIPOLIT: So the bottom room is
3 only your water, and your gas meter --

4 THE WITNESS: The gas meter, everything
5 else is on the upper level.

6 If we go to the second floor, the gas
7 meter and everything else is on the second floor.

8 Here we have the fire alarm and the
9 electric meters are on this level. The gas meters
10 are on this level as well.

11 CHAIRMAN HOLTZMAN: Okay. Good.

12 Thanks.

13 THE WITNESS: Okay. I just wanted to
14 make sure I said that.

15 So as we go on to the following sheet,
16 we have two private roof decks that are accessed
17 from the staircases going up. These roof decks are
18 for the upper apartments and deeded that way, as
19 well as we have an open roof tray systems front to
20 rear about approximately -- pretty close to about
21 700 square feet of green roof trays on our roof, and
22 we are underneath our maximum coverage in terms of
23 the roof coverage as well as the deck coverage.

24 MR. MATULE: Do we have a generator up
25 there?

1 THE WITNESS: Yes. We do have a
2 generator, and our generator has a Type 2 enclosure,
3 in answer to the question with the decibel
4 ratings -- and the ratings and the normal load
5 ratings as well.

6 If we go on to the following sheet, the
7 following sheet, which would be the elevations of
8 the project, the building consists of, and you see
9 here in the elevations as well, the front of the
10 building, it is brick with metal panels. The metal
11 panels are in the bay area of this location.

12 This bay itself goes down to the
13 ground, so that bay comes all the way up, and above
14 there you have metal panels as well, and the
15 building itself is a simple building in Hoboken.

16 We do meet all of the fenestration
17 requirements as well as all of the calculations in
18 terms of the masonry requirement and the non masonry
19 materials.

20 As you can see here on the bottom
21 garage door, we have flood vents on the front of the
22 building, and on the rear of the building we have
23 flood vents again for our flood information, and the
24 building in the rear is a simple -- similar
25 building, stucco on the first level and a series of

1 Hardie Plank siding on the back with Hardie Plank
2 trim.

3 This is the north side --

4 MR. MATULE: Mr. Bodnar, if you could
5 just turn back to PB-4 just so we can try to address
6 this, because I think that best shows the bays.

7 THE WITNESS: Yes.

8 MR. MATULE: The total bays, if you
9 will, the footprint of the bays compared to the
10 footprint of the building has approximately an
11 additional 150 square feet of lot coverage?

12 THE WITNESS: Yes.

13 MR. MATULE: And is that primarily
14 driven as an architectural feature to break up the
15 flat wall of the building?

16 THE WITNESS: That is correct.

17 In the rear of the building, we have a
18 bay and also emulates on the front of the building.

19 If we took the main block of the
20 building, it would be 60-by-50, which is about 3,000
21 square feet. The additional square footage is the
22 two bays that stick out in front. One actually is
23 not really a bay. It's the footprint of the
24 property line.

25 The other ones -- both of these go

1 down, out the grid, but they do add an appeal, where
2 the facade isn't just one straight flat wall, so
3 that is a little bit of an architectural feature --

4 CHAIRMAN HOLTZMAN: Mr. Pinchevsky?

5 COMMISSIONER PINCHEVSKY: Mr. Bodnar,
6 just because I don't know.

7 What classifies something as a bay
8 window versus just standard livable space?

9 THE WITNESS: Well, this would be -- I
10 was going to call this a bay, because it is actually
11 protruding outside of the building, the main
12 building envelope --

13 CHAIRMAN HOLTZMAN: Yeah.

14 For our normal language, Mr.
15 Pinchevsky, we would not refer to that as a bay. It
16 is -- what is a good word here, Mr. Magaletta?

17 THE WITNESS: It's an extension of the
18 building.

19 MR. HIPOLIT: It's a building
20 extension --

21 CHAIRMAN HOLTZMAN: Right. Yeah.

22 It's not a bay --

23 COMMISSIONER PINCHEVSKY: It's not a
24 bay --

25 CHAIRMAN HOLTZMAN: -- because it comes

1 all the way down to the bottom, so it is not like
2 there's an overhanging portion or anything of the
3 sort.

4 MR. HIPOLIT: It's just part of the
5 building footprint.

6 COMMISSIONER PINCHEVSKY: Okay.

7 I mean, the term "bay" is constantly
8 being used, and I just wanted to make sure I
9 understand --

10 CHAIRMAN HOLTZMAN: That it is not
11 really a bay when Mr. Bodnar referred to it as a
12 bay?

13 THE WITNESS: Yes. But the front one
14 on the right is a bay. This one --

15 CHAIRMAN HOLTZMAN: It is an irregular
16 shape to the back?

17 THE WITNESS: Yes.

18 COMMISSIONER PINCHEVSKY: Well, I was
19 thinking to the front as well.

20 CHAIRMAN HOLTZMAN: Also, yes.

21 COMMISSIONER PINCHEVSKY: Okay. All
22 right.

23 Thank you.

24 THE WITNESS: The only bay that we have
25 in the front is the one in the middle.

1 The one on the left-hand side, the
2 northern side, is a brick feature of the --

3 COMMISSIONER PINCHEVSKY: But even the
4 front one that you said is the real one, like what
5 makes that a bay versus again just standard livable
6 space?

7 MR. HIPOLIT: It overhangs.

8 COMMISSIONER PINCHEVSKY: Because it
9 overhangs?

10 THE WITNESS: If you consider a bay,
11 this would have no foundation, no footing underneath
12 it. It is an overhang --

13 COMMISSIONER PINCHEVSKY: Okay.

14 THE WITNESS: -- just considering it a
15 bay because --

16 CHAIRMAN HOLTZMAN: Keep moving, Mr.
17 Bodnar.

18 THE WITNESS: Okay.

19 All right. As you see here, we have
20 the facade elevations on the lower level that shows
21 our building in relationship to the church and the
22 other buildings in the neighborhood.

23 The south side elevation on this has a
24 decorative feature, and we talked about that,
25 because you will be able to see -- since the church

1 itself is set back, we can go back to the PB-2
2 sheet, and you can see the building is set back
3 about nine feet five from our building to the church
4 itself, so you will see the facade, so we came with
5 the decorative pattern feature on that --

6 CHAIRMAN HOLTZMAN: And what are the
7 colors there, Mr. Bodnar?

8 Do you have a color rendering of that
9 by any chance?

10 THE WITNESS: I was thinking a light
11 gray and a dark gray. I didn't want to do anything
12 really drastic there, just something simple and
13 something clean.

14 CHAIRMAN HOLTZMAN: Okay.

15 MR. MATULE: You received Mr. Hipolit's
16 letter, dated July 26th?

17 THE WITNESS: Correct, yes.

18 MR. MATULE: No issues addressing his
19 concerns?

20 THE WITNESS: No. All issues will be
21 addressed.

22 MR. MATULE: And the project will have
23 two new street trees?

24 THE WITNESS: Correct.

25 MR. MATULE: New curbs and sidewalks?

1 THE WITNESS: Yes.

2 MR. MATULE: And stormwater detention
3 to be approved by North Hudson?

4 THE WITNESS: Yes.

5 MR. MATULE: Bike racks, car chargers,
6 all of the usual --

7 THE WITNESS: Yes.

8 MR. MATULE: -- bells and whistles that
9 are put in?

10 THE WITNESS: Yes.

11 CHAIRMAN HOLTZMAN: Mr. Hipolit, any
12 additional questions for Mr. Bodnar?

13 MR. HIPOLIT: No.

14 Just the project should have formal
15 further review by the Flood Plain Manager, and our
16 letter has it, too, but there's been changes --

17 MR. GALVIN: This application to be
18 submitted to the Flood Plain Administrator for her
19 review and approval with additional attention given
20 to the sprinkler room?

21 MR. HIPOLIT: Fine.

22 CHAIRMAN HOLTZMAN: And the elevator.

23 MR. HIPOLIT: And the elevator.

24 CHAIRMAN HOLTZMAN: Mr. Roberts, any
25 additional questions?

1 MR. ROBERTS: Mr. Chairman, I think
2 basically issues one through four in the letter were
3 addressed through testimony.

4 We had also had a note about the flood
5 door that the SSP brought up.

6 The rooftop enclosure was addressed.

7 The front yard landscaping is now on
8 the property.

9 The only other thing that I had in my
10 letter was the issue of the three percent lot
11 coverage and why we need that variance. I think
12 that is yet to come.

13 CHAIRMAN HOLTZMAN: Okay.

14 Commissioners, any questions for Mr.
15 Bodnar, the architect, at this time?

16 Okay.

17 COMMISSIONER JACOBSON: Well, I was
18 curious about the rear of the building where there
19 are two projections.

20 THE WITNESS: Yes.

21 COMMISSIONER JACOBSON: At least in my
22 experience, that is fairly unusual, especially for a
23 smaller scaled building, two lots.

24 What is the purpose of that?

25 THE WITNESS: Actually I have done it

1 on an earlier project about a year ago, and
2 everybody actually liked the fact that we broke the
3 facade up and didn't have just a flat facade back
4 there.

5 I kind of wanted to emulate the front
6 facade and kind of switch it back to the rear facade
7 and kind of have a mirror image of itself. Although
8 it is not the same materials, it kind of gives it
9 some kind of feature that is not just a flat facade.

10 CHAIRMAN HOLTZMAN: Anything else, Mr.
11 Jacobons?

12 COMMISSIONER JACOBSON: No.

13 CHAIRMAN HOLTZMAN: Good. Thank you.

14 There seems to be a good contingent of
15 the public.

16 Are there members of the public that
17 have questions for the architect?

18 This is sort of questions now.
19 Opinions we will sort of circle back on later.

20 No.

21 Going once?

22 Going twice?

23 Mr. Vance couldn't pass it up.

24 (Laughter)

25 MR. GALVIN: State your full name for

1 the record.

2 MR. VANCE: I am James Vance.

3 MR. GALVIN: And your street address?

4 MR. VANCE: I live at 107 Monroe Street
5 in Hoboken, New Jersey.

6 MR. GALVIN: And at this point we're
7 just asking questions of the witness.

8 Please proceed.

9 MR. VANCE: Thank you.

10 What was the reason that you decided to
11 set your building back?

12 THE WITNESS: The original one or the
13 secondary one?

14 MR. VANCE: Well, why did you want to
15 set it back regardless?

16 THE WITNESS: The first time --

17 CHAIRMAN HOLTZMAN: Well, look, stop,
18 stop, stop, stop.

19 Are we talking about like the indent of
20 the building or this sort of revision that we talked
21 about way too much at the beginning of the start
22 here?

23 MR. VANCE: It is difficult to separate
24 one from the other.

25 The building from the lot line --

1 THE WITNESS: Yeah.

2 MR. VANCE: -- where I believe you are
3 able to build to the lot line within code, is that
4 correct?

5 THE WITNESS: Correct.

6 MR. VANCE: So you have decided to set
7 the building back from the lot line?

8 THE WITNESS: Correct.

9 MR. VANCE: In this case how much?

10 THE WITNESS: It is a two-part system.
11 The area that is the right point of
12 bay, and the other element that also protrudes
13 outwards, that is two feet eight inches from the
14 property line.

15 The indents on both this side and that
16 is five feet from the property line to align with
17 the steeple of the church.

18 MR. VANCE: Okay.

19 And so your concern is the view of the
20 church from the street?

21 THE WITNESS: Yes.

22 We spoke to these as well, and he
23 thought it would be nice to be able to see the
24 church a little bit more when you come down the
25 street.

1 By setting it back a little bit, the
2 church is higher than us anyhow, and by setting it
3 back you can see it better.

4 MR. VANCE: So apparently the developer
5 agreed that it makes sense to set it back for visual
6 reasons?

7 THE WITNESS: Correct.

8 MR. VANCE: Why not set it back, if you
9 are concerned about visual reasons going down the
10 street and being able to see this steeple, which the
11 church was built -- when was it built?

12 THE WITNESS: I don't know the exact
13 day.

14 MR. VANCE: I think there is a plaque
15 on the front that says something about 1890.

16 So you have a concern, the neighbors
17 have a concern, and set the building back a certain
18 amount.

19 Why not set it back even further to
20 make it even more visible since this is important?

21 THE WITNESS: There was a secondary
22 item here.

23 If I set it back even further there
24 was -- in the back of the church itself, the back
25 part of the church where the transept is --

1 MR. VANCE: Transcept --

2 THE WITNESS: -- there is a series of
3 windows.

4 If I set the building further back, I
5 start encroaching into that transcept area, if we go
6 back to the main plan here --

7 CHAIRMAN HOLTZMAN: Is there an
8 overhead --

9 THE WITNESS: Yeah.

10 Right here on this side, you can see
11 our rear of the building lined up with the corner of
12 the church, so I set the windows in about a foot in
13 front there, and our building could only get another
14 foot, not impeding into those windows.

15 Since this is only about a 3.1, you
16 know, setback from the property, it would start
17 impinging on the light that's coming through those
18 windows --

19 MR. VANCE: So what you --

20 THE WITNESS: -- so I thought, let's
21 leave the light alone.

22 MR. VANCE: -- so what you are saying
23 is that this smaller setback -- or would a -- it
24 allows -- it doesn't block the light coming through
25 the window in the transcept?

1 THE WITNESS: Yes.

2 MR. VANCE: That sort of makes sense.

3 The other question is: We are now
4 allowed to go, I believe, five stories under the new
5 zoning ordinance. Is that correct?

6 MR. MATULE: There is no limitation on
7 stories.

8 THE WITNESS: Correct, yes.

9 MR. VANCE: Well, we are allowed to
10 go -- how much -- how far are we allowed to go above
11 grade --

12 MR. MATULE: 40 foot.

13 THE WITNESS: 40 feet.

14 MR. MATULE: Above the design flood
15 elevation.

16 MR. VANCE: Above the design flood
17 elevation.

18 Now, how far is that above grade?

19 Above grade, what's the top of the
20 building?

21 THE WITNESS: We are 41 feet five --
22 six inches, I believe.

23 MR. MATULE: From the design flood
24 elevation?

25 THE WITNESS: From the design flood

1 elevation, from the design flood elevation.

2 41.5 from above the design flood
3 elevation. This property is a little bit higher to
4 be able to get that parking space on the lower
5 level. I would not be able to get -- I would be
6 very hard pressed. I can do it --

7 MR. MATULE: Russell, look at PB-6.
8 Maybe you could answer Mr. Vance's question.

9 Do you have a string dimension from the
10 height of the sidewalk to the roof slab?

11 THE WITNESS: Yes. My flood number on
12 the front, the NAVD --

13 MR. MATULE: No, that is not the
14 question.

15 THE WITNESS: -- number, it is 5.5 --

16 MR. MATULE: The question is: What is
17 the height from the sidewalk to the rooftop?

18 MR. VANCE: From grade to the top of
19 the cornice.

20 THE WITNESS: Oh, grade to the top of
21 the cornice is 54 feet.

22 MR. VANCE: 54 feet.

23 MR. MATULE: But we only measured to
24 the roof slab.

25 MR. VANCE: Well, the question was

1 answered.

2 Thank you, sir.

3 CHAIRMAN HOLTZMAN: Thank you, Mr.

4 Vance.

5 Oh, you have more?

6 MR. VANCE: What -- have you taken
7 consideration of possibly taking the top floor, the
8 fifth floor, and setting it back say maybe another
9 ten feet providing a, you know, veranda or whatever
10 you want to call it, on the front of the building
11 and improving the view of the people?

12 THE WITNESS: Okay. I am kind of --
13 zoning kind of discouraged me from setting the
14 building back that way. They don't want balconies
15 located on the front of the property line, put it in
16 the front part of the building any more, so that was
17 like one of the things that I was discouraged from a
18 couple years ago.

19 MR. VANCE: Would you object to the
20 Board making an amendment to that?

21 MR. GALVIN: I think Mr. Matule has to
22 respond, not Mr. Bodnar.

23 MR. VANCE: Pardon me?

24 MR. MATULE: I would have to discuss it
25 with my client. I can't opine whether it would be

1 acceptable or not, but I think we are presenting to
2 you the plan, you know, as designed after
3 consultation with the neighbor.

4 CHAIRMAN HOLTZMAN: What you are asking
5 for, Mr. Vance, would require an additional --

6 MR. VANCE: I am asking if it's -- what
7 I am asking for is an additional setback of the top
8 floor ten feet to improve the view of these people
9 from the street --

10 CHAIRMAN HOLTZMAN: Understood.

11 MR. VANCE: -- and also to increase and
12 improve the sky exposure.

13 CHAIRMAN HOLTZMAN: Thank you.

14 MR. VANCE: Thank you.

15 CHAIRMAN HOLTZMAN: Any other members
16 of the public, questions for the architect at this
17 time?

18 No.

19 Okay. We will close public portion.

20 Mr. Matule, who do we have up next?

21 MR. MATULE: Mr. Ochab.

22 MR. GALVIN: Raise your right hand.

23 Do you swear or affirm the testimony
24 you are about to give in this matter is the truth,
25 the whole truth, and nothing but the truth?

1 MR. OCHAB: I do.

2 K E N N E T H O C H A B, having been duly sworn,
3 testified as follows:

4 MR. GALVIN: Please state your full
5 name for the record and spell your last name.

6 THE WITNESS: Ken Ochab, O-c-h-a-b.

7 MR. GALVIN: Mr. Chairman, do we accept
8 Mr. Ochab's credentials as a planner?

9 CHAIRMAN HOLTZMAN: We do.

10 MR. MATULE: Mr. Ochab, I am going to
11 premark your three exhibits here, and if you could,
12 just for the record, tell us what A-3, A-4 and A-45
13 are.

14 (Exhibits A-3, A-4 and A-5 marked)

15 THE WITNESS: Okay. All three photo
16 boards, three, four and five are --

17 CHAIRMAN HOLTZMAN: Mr. Ochab, can you
18 just hang on one second?

19 THE WITNESS: Yes.

20 COMMISSIONER O'CONNOR: Mr.
21 Commissioner, can we ask the planner to move the
22 boards because we can't see them.

23 CHAIRMAN HOLTZMAN: Yes. We can't see
24 around the chair.

25 MR. GALVIN: Take it off the chair.

1 CHAIRMAN HOLTZMAN: Let's take it off
2 the chair. There you go.

3 COMMISSIONER O'CONNOR: Thank you.

4 CHAIRMAN HOLTZMAN: And kind of give it
5 a little tilt, give us a tilt, Mr. Ochab.

6 THE WITNESS: Okay.

7 So three, four and five are photographs
8 of the site in question and the surrounding area. I
9 will go through them in little bit more detail in a
10 moment.

11 MR. MATULE: You took all of these
12 pictures?

13 THE WITNESS: Yes. I took all of
14 these. These photographs were taken by myself.
15 None of them were cropped or altered in any way.
16 Some of them were taken today, and some of them were
17 taken in April of 2016.

18 MR. MATULE: Do they still depict the
19 current site conditions?

20 THE WITNESS: They would, yes.

21 MR. MATULE: Thank you.

22 THE WITNESS: So we have the R-3 zone.
23 We have a residential building proposed that meets
24 all of the zoning criteria with the exception of
25 three exceptions, and that is the height of the

1 building, which is 41 and a half feet in elevation
2 as opposed to the 40 feet required.

3 Lot coverage was 63 percent as opposed
4 to the 60 percent required, and the front yard
5 setback of 2 point -- two feet eight inches, as
6 opposed to the front yard setback, which can be
7 either zero or matching the lesser of the adjoining
8 buildings, which is also zero, so we have three
9 variances.

10 The lot coverage variance is a variance
11 that we have had before. It has to do with the
12 design of the building, the extension of the rear of
13 the building to add some architectural interest to
14 the rear of the building, and the rear of this
15 building doesn't have any decks. There are no fire
16 escapes. There's no balconies.

17 Typically when we have those things, we
18 have a flat facade in the back of the building, and
19 those things add interest. Here it has no interest,
20 so it is an architectural theme. It's more having
21 to do with esthetics.

22 We still provide the requisite rear
23 yard setback. We still provide and actually are
24 improving the hole in the donut of open space
25 because the existing building on the site, as you

1 will see in a moment, is set way back and encroaches
2 on that rear area.

3 With respect to the height of the
4 building, again, we are a foot and a half above the
5 DFE, and that is caused again typically by the fact
6 that the flood elevation from grade to the DFE is
7 eight and a half feet on the ground level, so we
8 went up another foot and a half to ten feet, and
9 that allows us to put the parking underneath,
10 utilities, sprinkler systems, all of that good
11 stuff, which goes underneath there, allows us to use
12 the ground floor for a utilitarian way as opposed to
13 having a problem using that floor.

14 So these are both in my view C-2
15 variances in which there are benefits obviously in
16 having the minor deviations in my view to this
17 aspect of the application.

18 In the front yard, again, in
19 consultation with the St. Joseph's Church asked us
20 to move the building back.

21 We have again, as the architect
22 indicated, two feet eight inches to the forward
23 portion of the building, and five feet to the rear
24 portion of -- that is a bad set of terms -- to the
25 front -- the main part of the front building, and

1 that aligns directly with the church facade, which
2 was the whole intent.

3 The ordinance, even the amended
4 ordinance in the R-3 zone with the front setbacks
5 allows us to either have a zero setback, or we can
6 match the lesser setback of the adjoining buildings,
7 and that lesser setback is the building to the
8 north, which is on the property line.

9 So, therefore, we can't meet the
10 requirement two feet eight inches. It stimulates
11 the variance for the rear yard setback, and
12 obviously there are benefits there because of the
13 fact that we are sliding the building back, and then
14 opening the more visual perspective to the church
15 building, which I think clearly is a benefit here.

16 So if you look at the photographs
17 quickly, some of these photographs are in my report.
18 A-3, the upper left, it shows the existing structure
19 on the property. It is a single-story ranch home --

20 CHAIRMAN HOLTZMAN: You can kind of --
21 we get these. These are pretty easy, Mr. Ochab. I
22 think we can kind of flip through them pretty good.

23 THE WITNESS: Very good.

24 So you see the frontage. This is the
25 frontage along Monroe, across on the other side.

1 Again, just the street scape perspective of the
2 fronts of the buildings, the church --

3 MR. GALVIN: In this instance, do you
4 want to pass those up and the Board can take a quick
5 look at them?

6 THE WITNESS: Sure.

7 MR. GALVIN: I mean, I think it is a
8 very visible location, and I don't think you have to
9 spend a lot of time on the photos.

10 THE WITNESS: No problem. I never know
11 where we are going to go with this, so --

12 MR. GALVIN: No.

13 CHAIRMAN HOLTZMAN: No. That's good.
14 We appreciate you doing your homework.

15 MR. GALVIN: You know what I am telling
16 you.

17 CHAIRMAN HOLTZMAN: There we go, and
18 we're good.

19 THE WITNESS: This is the next one
20 showing the frontage. The one I think, which is
21 probably the most important, this is the rear yard
22 of the property. The existing building now comes
23 about a quarter of the way into that portion of the
24 building that has the huge sustained glass windows.

25 Our new building is actually forward of

1 this, so there is no portion of our building that
2 will interfere with the light or sunlight or access
3 light to this window, which was the most important
4 aspect of this.

5 This photograph in the upper right just
6 shows the existing building and this little bump-out
7 for the rear entrance, all of that is gone. The
8 whole yard is opened up.

9 The lower left photograph is actually a
10 photograph from Madison looking back toward the back
11 of our property, and this building in the foreground
12 here is set back on the rear property line. So if
13 anything needs to go, it is this one.

14 (Laughter)

15 CHAIRMAN HOLTZMAN: We are working on
16 that.

17 THE WITNESS: Actually I am, too, so
18 maybe this one will be soon.

19 (Laughter)

20 And this is just a photograph of the
21 rear yard looking north again from the back of the
22 building.

23 I wanted to show that the next set of
24 decks is at least two lots away, and there is no
25 impact.

1 CHAIRMAN HOLTZMAN: Excellent.

2 Thank you, Mr. Ochab.

3 Mr. Roberts, did you have any questions
4 for Mr. Ochab?

5 COMMISSIONER JACOBSON: Mr. Ochab, can
6 you pass that one up please as well?

7 THE WITNESS: Absolutely.

8 MR. ROBERTS: Mr. Chairman, I think I
9 understand the rationale about the front setback.

10 And I guess the one question I had on
11 the height was, I don't know if this is really for
12 Ken or for Mr. Bodnar, but you mentioned that the
13 DFE is eight feet, and that you needed the -- eight
14 and a half, and you needed the one and a half to get
15 to ten.

16 Is that -- I notice that you have a
17 handicapped parking stall in the garage. Is that
18 for the van accessibility?

19 MR. BODNAR: Yes. I had --

20 CHAIRMAN HOLTZMAN: "Yes" is good
21 enough.

22 Thank you, Mr. Bodnar.

23 (Laughter)

24 MR. ROBERTS: Right.

25 So then the last question I guess has

1 to do with -- I notice that we're, I guess we are
2 basically looking for about 94 square feet roughly,
3 94 and a half square feet, which would be three
4 percent --

5 THE WITNESS: Correct.

6 MR. ROBERTS: -- so I think I had that
7 in my letter, and that appears to be, and I think
8 that your testimony is that effectively the
9 justification is to get some variation in the rear
10 facade.

11 THE WITNESS: Correct.

12 MR. ROBERTS: And it looks like
13 effectively the two building extensions, the two
14 sections of the building that project out farthest,
15 which are three feet or about they're basically
16 3-by-14 or 3-by-14 and a half, so roughly that it
17 doesn't quite make up to 94 square feet, but it's
18 probably -- how much is it?

19 A VOICE: 76 and a half square feet.

20 MR. ROBERTS: -- 76 and a half square
21 feet out of 94, so I guess the --

22 COMMISSIONER PINCHEVSKY: Wouldn't it
23 be a hundred fifty square feet? You said 94, right?

24 MR. ROBERTS: No. 94 would be --

25 COMMISSIONER PINCHEVSKY: Wouldn't it

1 be --

2 MR. ROBERTS: -- well, three percent of
3 the total --

4 COMMISSIONER PINCHEVSKY: -- it's 5,000
5 square feet, right?

6 MR. ROBERTS: 5,000 square feet --

7 COMMISSIONER PINCHEVSKY: So it
8 would --

9 (Commissioner Pinchevsky and Mr.
10 Roberts speaking at the same time)

11 THE REPORTER: Wait, Mr. Pinchevsky, I
12 can't take more than one person speaking at once.

13 MR. GALVIN: Whoa.

14 CHAIRMAN HOLTZMAN: One at a time, guys
15 Dave?

16 COMMISSIONER PINCHEVSKY: I was just
17 asking whether or not three percent would actually
18 be a 150 square feet, not 94 --

19 MR. ROBERTS: I'm going from my report.
20 I think I calculated it. I may have calculated it
21 wrong, but the idea was to try to see if there was a
22 way to make that square footage. I think the
23 bumpouts count for -- like we had calculated 76
24 square feet --

25 COMMISSIONER PINCHEVSKY: Yeah.

1 MR. ROBERTS: -- so effectively, if you
2 brought -- even if you had a flat wall, which I
3 understand from the architectural testimony and your
4 testimony about the relief, that still doesn't quite
5 bring you to 60 percent.

6 So I guess that kind of throws it out
7 in front of the Board again, Mr. Chairman, as to --
8 I am just thinking we are so close, if there was a
9 way to try to get to 60 percent obviously and
10 eliminate that variance, that would be desirable.

11 It looks like if they were to bring it
12 back to a flat wall, they may be able to get close,
13 but not quite close enough, so I think that is where
14 we are at.

15 CHAIRMAN HOLTZMAN: Okay.

16 Mr. Pinchevsky?

17 COMMISSIONER PINCHEVSKY: Sure. Thank
18 you.

19 Mr. Ochab, you mentioned in your report
20 here that in order -- on the northern building, you
21 mentioned here that the wall will extend
22 approximately 11 feet beyond their existing back
23 wall, and I guess now with the two and a half foot
24 setback, you are looking at 13 feet and change --

25 THE WITNESS: Right.

1 COMMISSIONER PINCHEVSKY: -- even with
2 11 foot, you mentioned right following, that there
3 was like no substantial effect on the adjacent
4 property.

5 I am just curious. Do you think that
6 13 foot, now a 13 foot 50 foot wall going past your
7 backyard, in your opinion, is that still not a
8 substantial effect on that adjacent property?

9 THE WITNESS: I do, because I looked at
10 that property, and typically what you look for there
11 is: Is there any evidence of rear decks on the back
12 of the adjoining building, balconies, and there is
13 nothing.

14 COMMISSIONER PINCHEVSKY: Do they have
15 a backyard?

16 THE WITNESS: They have a backyard, but
17 that is it --

18 COMMISSIONER PINCHEVSKY: And now they
19 are going to have a wall 13 feet and 50 feet tall --

20 THE WITNESS: About 15 feet, yes. 15
21 feet from the back of their building to the back of
22 our building --

23 COMMISSIONER PINCHEVSKY: 15 feet --

24 THE WITNESS: -- well, about 11 plus
25 two and a half.

1 COMMISSIONER PINCHEVSKY: Yeah. Okay.

2 Whatever it may be, and 50 feet tall you're saying?

3 THE WITNESS: Yes.

4 COMMISSIONER PINCHEVSKY: Going into
5 their backyard blocking sunlight, but that is not a
6 substantial effect?

7 THE WITNESS: Well, the sunlight issue
8 comes into play when typically either you're
9 exceeding the depth of the building, which here is
10 allowed to be 70 feet from the front property line,
11 so we don't exceed that, and there is only, in my
12 view, a minor lot coverage issue, so I didn't look
13 at that as a substantial detriment in the context of
14 the impact --

15 COMMISSIONER PINCHEVSKY: Okay. I
16 mean, we will look at that.

17 My next question is still with your
18 report is the application, I don't know if 15 has a
19 few questions, and all of them are answered, "See
20 planner's report."

21 The first item is what are the
22 exceptional circumstances or conditions applicable
23 to the subject property preventing a reasonable
24 development and use of the property that do not
25 apply generally to other properties in the same

1 zone, and I didn't see that question answered in
2 your -- maybe it was, or if not, could you possibly
3 answer that now?

4 THE WITNESS: Well, I answered that by
5 using the Municipal Land Use criteria for variances,
6 which is the C1 hardship criteria or the C2
7 criteria, which is --

8 COMMISSIONER PINCHEVSKY: But I am
9 asking in answer to this specific question, which is
10 on our checklist --

11 MR. MATULE: But I think, if I might
12 interject, you are asking I think a legal question,
13 and that question really speaks to a C1 variance,
14 where you are asking for a hardship variance based
15 on a particular site condition, and I think that is
16 the context of that, but certainly the surrounding
17 site conditions, i.e., the church next door goes to
18 that very question, and it is in Mr. Ochab's report.

19 COMMISSIONER PINCHEVSKY: Well --

20 MR. GALVIN: I wasn't paying attention.
21 I apologize.

22 (Laughter)

23 COMMISSIONER PINCHEVSKY: Okay. I was
24 just referring to -- so if the question is not going
25 to be answered --

1 MR. GALVIN: It is the truth, I'm
2 sorry.

3 COMMISSIONER PINCHEVSKY: -- it is
4 okay.

5 I guess I can pass --

6 MR. GALVIN: No, no, no. Just tell me
7 what it is. Repeat your question.

8 COMMISSIONER PINCHEVSKY: Okay.

9 So I was just asking that the
10 checklist, Item Number 15, the very first item, I'll
11 read it again. It says: What are the exceptional
12 circumstances or conditions applicable to the
13 subject property preventing reasonable development
14 and use of the property that do not apply generally
15 to other properties in the same zone --

16 MR. GALVIN: Okay.

17 COMMISSIONER PINCHEVSKY: -- so it's
18 not answered "NA." It just says look at the
19 planner's report, so I looked at the planner's
20 report, and I didn't see that question answered,
21 but --

22 MR. GALVIN: The next time you know to
23 put "NA."

24 COMMISSIONER PINCHEVSKY: -- my -- my
25 response, though, and my follow-up question then is:

1 How does the church prevent you from having 60
2 percent lot coverage?

3 MR. GALVIN: Are you suggesting that
4 you need a C1 variance in this case?

5 MR. MATULE: No, no.
6 He is raising it because of the
7 question in the application --

8 MR. GALVIN: Wait. That's what I
9 wanted to understand --

10 MR. MATULE: We are C2 --

11 MR. GALVIN: -- there are two ways --
12 there's two ways to get the variance relief they are
13 seeking. One is to have a hardship. They're not
14 suggesting they have any hardship. That question
15 could have been answered better than they did.

16 COMMISSIONER PINCHEVSKY: But Mr.
17 Matule then just mentioned in response that he
18 referred to the church, so I was just --

19 MR. GALVIN: They are trying to answer
20 it, but the better answer is they are not going for
21 a C1 case. They are going for a C2, and they have
22 to show special reasons, and they have to show
23 there's a better alternative, and that the positives
24 outweigh the negatives. There's no hardship --

25 COMMISSIONER PINCHEVSKY: Okay. Hum --

1 MR. GALVIN: -- there's no hardship in
2 this case.

3 You could comply with the requirements,
4 right?

5 THE WITNESS: Yeah. I mean, we are not
6 arguing hardship, but the Municipal Land Use Law
7 allows us to argue the C2 --

8 COMMISSIONER PINCHEVSKY: Understood.
9 I understand that. I -- I --

10 MR. GALVIN: They left it open by
11 saying, "See the planner's report" --

12 COMMISSIONER PINCHEVSKY: Yeah. Maybe
13 I misread it.

14 MR. GALVIN: No. You didn't misread
15 it.

16 It's just like -- it's the kind of a
17 thing that we do in the planning world. We're
18 taking an easy path. They are saying "See the
19 planner's report." Whatever Mr. Ochab has in his
20 report, that's what it is.

21 In this instance, he didn't find that
22 it is a C1 variance, so there is nothing about that
23 in his report.

24 COMMISSIONER PINCHEVSKY: Okay.

25 CHAIRMAN HOLTZMAN: On the other hand,

1 it brings up a perfect sequa that perhaps for the
2 additional lot coverage, there should be some
3 offsetting neighborhood benefit.

4 I think it is worth mentioning again
5 that obviously this applicant has reached out to the
6 neighborhood and had conversations and made some
7 adjustments to their plans to try to accommodate the
8 view of the church, which is certainly a good thing.

9 On the other hand, it might also be
10 nice that there was some enhancement of, let's say,
11 the green roof coverage or the stormwater detention
12 system that helped the neighborhood.

13 In this case, this has a small green
14 roof and a small roof deck on the top of the
15 property.

16 The numbers again, Andy?

17 MR. HIPOLIT: The numbers are 19 --
18 it's 20 percent green roof -- 20 percent of the roof
19 is green, and 19 percent of the roof is decks.

20 CHAIRMAN HOLTZMAN: So there is
21 certainly ample opportunity for them to make some
22 offering to us to offset this additional three
23 percent of lot coverage that they are asking for.

24 COMMISSIONER PINCHEVSKY: Okay.

25 VICE CHAIR MAGALETTA: I think this lot

1 coverage issue is the biggest hurdle because that
2 building to the north is brand new -- not brand
3 new -- but it's newer, so it is not coming down, you
4 will be developing any time soon, and you are on the
5 south side of that property, so that sun comes up.
6 You are blocking the sun coming in.

7 That is a real impediment to their
8 light and air, so I think that is a problem. It is
9 12 feet, and it's not de minimis, so I think that is
10 really something that you need to overcome.

11 THE WITNESS: But the sun --

12 CHAIRMAN HOLTZMAN: But there is also
13 the question of they are also, and I think it is
14 important to acknowledge that they are trying to
15 make some accommodation in the front.

16 So where does the balance strike that,
17 you know, allows for the light into the windows that
18 are in the rear, allows for the street visual for
19 the front of the church, and that is where there has
20 to be a balance.

21 COMMISSIONER PINCHEVSKY: Mr. Chair, as
22 Mr. Roberts was getting at, getting rid of the back
23 bays gets us down from 63 percent to 61 and a half
24 percent, and it also takes away three foot of wall
25 adjacent to the northern property, so I think it

1 definitely makes the pill easier to swallow. It is
2 not what is being suggested to us by the applicant.
3 However, that is a possibility --

4 CHAIRMAN HOLTZMAN: That is a fair
5 trade-off, too, sure.

6 COMMISSIONER PINCHEVSKY: -- and it
7 doesn't affect the church, and it helps the
8 neighbors out, and it gets you closer to that 60
9 percent, just thinking out loud.

10 CHAIRMAN HOLTZMAN: Great. Okay.

11 Mr. Ochab, was there anything else? I
12 think you covered it rather well.

13 THE WITNESS: That's it.

14 VICE CHAIR MAGALETTA: Open to the
15 public?

16 CHAIRMAN HOLTZMAN: I'm sorry?

17 VICE CHAIR MAGALETTA: The public?

18 CHAIRMAN HOLTZMAN: Yes, absolutely.

19 Are there any members of the public
20 that wish to have any questions for the planner?

21 No. Okay. We'll close the public
22 portion.

23 Mr. Matule, anybody else?

24 MR. MATULE: No. I don't have any
25 other witnesses, but I just would like to --

1 CHAIRMAN HOLTZMAN: Do you want to take
2 a moment?

3 MR. MATULE: -- I just wanted to put a
4 few things on the record --

5 CHAIRMAN HOLTZMAN: Sure.

6 MR. MATULE: -- apropos to what you
7 were alluding to.

8 We do have -- my understanding is our
9 stormwater detention system is designed to be
10 approximately twice what the minimum North Hudson
11 requirement is.

12 There are physical constraints just
13 because of the property size, but in the
14 conversations with --

15 CHAIRMAN HOLTZMAN: Is that a statement
16 on the record, Mr. Matule?

17 I don't recall hearing that, or is that
18 in our reports?

19 MR. MATULE: The stormwater management
20 report was submitted to the Board Engineer.

21 MR. HIPOLIT: The stormwater management
22 report was submitted. It is going to need a final
23 review, like all applications, based on final
24 approval of North Hudson, so whatever they submit to
25 North Hudson that gets approved, we need to receive

1 that back, yes.

2 MR. GALVIN: Let me just say this: I
3 remember specifically when the architect was
4 talking, he said that they complied --

5 MR. HIPOLIT: He did, yes.

6 MR. GALVIN: -- he didn't say that they
7 doubled or exceeded, you know.

8 MR. MATULE: Correct.

9 MR. HIPOLIT: Right.

10 CHAIRMAN HOLTZMAN: So it is your
11 statement that you believe it doubles the North
12 Hudson Sewerage Authority?

13 MR. MATULE: I think it is as close to
14 double as you can get given the physical constraints
15 of the property. I understand that --

16 CHAIRMAN HOLTZMAN: Almost double.

17 MR. MATULE: -- from the design
18 engineer -- yes. I don't want to say -- it is as
19 big as you can get it regarding the site --

20 CHAIRMAN HOLTZMAN: Okay.

21 MR. MATULE: -- but there were also
22 some further agreements with St. Joseph's --

23 CHAIRMAN HOLTZMAN: Please bring them
24 to our attention.

25 MR. MATULE: -- and I want to put them

1 on the record.

2 The applicant agreed, as the testimony
3 was, to keep the rear wall of the building aligned
4 with the rear corner of the transept of the church,
5 so we wouldn't block the stained glass window.

6 The applicant also offered to use a
7 light colored material on the exposed south wall of
8 the proposed building, so as to create a reflective
9 surface, if you will, perhaps bring some more light
10 into that stained glass window.

11 The applicant also agreed to donate
12 five or six street trees to the front of the church
13 depending on where they could be located in
14 conjunction with both the Shade Tree Commission, and
15 the entrances. There are three entrances to the
16 church.

17 CHAIRMAN HOLTZMAN: Just walk that
18 back, your list back, please, a little bit for Mr.
19 Galvin.

20 MR. GALVIN: I was still working on
21 doubling the NHSA standard.

22 (Laughter)

23 MR. MATULE: Okay. The south -- are
24 you ready for me?

25 MR. GALVIN: Yes.

1 MR. MATULE: The south wall of our
2 building, because there is an open space between the
3 two buildings, they are not flush, because the
4 church is set off the property line to the south.
5 We have agreed to put a light colored material,
6 stucco or whatever, on the building, even
7 reflective, if that works, so it will, if you will,
8 borrow light and reflect it back towards that north
9 wall of the church where the stained glass window
10 is.

11 The applicant agreed to donate five or
12 six street trees to the front of the church. Again,
13 there is a main entrance and two side entrances, so
14 we have to confer with the pastor to see how that
15 will work out because the tree pits I believe are
16 now five-by-three or five-by-four. They're pretty
17 large.

18 They also agreed to relocate bricks
19 from 71-73 to give the church the use for pathways.

20 They agreed to auger down 15 feet for
21 each pile before they drive them, so as to
22 ameliorate any vibration, which would still be
23 monitored in accordance with the building code in
24 any event.

25 They also agreed to remove some

1 existing concrete and brick debris from the side of
2 the north side of the church.

3 (Mr. Bodnar and Mr. Matule confer)

4 MR. MATULE: So, I mean, I just wanted
5 to spread all of that on the record.

6 I don't know if anybody from the church
7 is going to come up and make public comments, but
8 those are all conditions that the applicant
9 proffered to the neighbor and agreed to.

10 The only other comment I would want to
11 make is on the issue of the fact that our rear wall
12 is exceeding the depth of the building to the north.
13 I just think we have to bear in mind that under the
14 code, it is permissible to have that rear wall up to
15 70 feet deep and still have your 30 foot yard. We
16 are not going back that far.

17 Some of it is driven by pushing the
18 building back, but also I guess they are borrowing
19 some floor space, where it has been taken away and
20 trying to put it some place else.

21 As Mr. Ochab testified, there are no
22 rear decks. There are no rear balconies, where you
23 typically get two or three percent lot coverage
24 generated by those, so we think it is a reasonable
25 request.

1 CHAIRMAN HOLTZMAN: Okay.

2 Mr. Pinchevsky?

3 COMMISSIONER PINCHEVSKY: I guess the
4 comment about borrowing and putting elsewhere, if
5 you are at 60 and you cut it some way to get it to
6 55, and you want to put it elsewhere to get back up
7 to 60, I get it. But if you are borrowing it
8 elsewhere to get above 60, I don't consider
9 borrowing from elsewhere. I think you're --

10 MR. MATULE: Well --

11 COMMISSIONER PINCHEVSKY: -- you are
12 exceeding the wall to exceed the 60 percent lot
13 coverage and therefore -- I guess I just don't look
14 at it the same way.

15 MR. MATULE: -- no, I understand.

16 My response to that is: That is why we
17 have a variance process and the Municipal Land Use
18 Law, and that is why my client is going above and
19 beyond the minimum requirements to do certain things
20 in the hope that the Board sees that as a fair
21 trade-off.

22 CHAIRMAN HOLTZMAN: Fair trade-off to
23 the neighborhood and the neighbor, the big neighbor.

24 MR. GALVIN: To reduce -- to reduce the
25 negative impacts on the surrounding property owners.

1 CHAIRMAN HOLTZMAN: Okay.

2 Mr. Stratton, anything?

3 COMMISSIONER STRATTON: No.

4 CHAIRMAN HOLTZMAN: Mr. Peene?

5 COMMISSIONER PEENE: No.

6 CHAIRMAN HOLTZMAN: Mr. Magaletta,
7 anything?

8 VICE CHAIR MAGALETTA: No. I think
9 this is more than one neighbor, though. It's not
10 just the neighbor to the south.

11 CHAIRMAN HOLTZMAN: Absolutely, there
12 are.

13 VICE CHAIR MAGALETTA: It's not just
14 that one neighbor. This is a tall building, and
15 it's going to cast a shadow in the donut, and so I
16 just wanted to reiterate that.

17 CHAIRMAN HOLTZMAN: Okay. Thank you.

18 We can circle back, Commissioners.

19 I will open it up to the public. If
20 there are any members of the public that wish to
21 offer any opinions or questions or comments at the
22 this time.

23 Mr. Vance?

24 MR. GALVIN: Raise your right hand,
25 sir.

1 Do you swear or affirm the testimony
2 you are about to give in this matter is the truth,
3 the whole truth, and nothing but the truth?

4 MR. VANCE: To the best of my
5 knowledge.

6 MR. GALVIN: Fire away.

7 MR. VANCE: Jim Vance, 107 Monroe
8 Street.

9 I got involved in this early on when I
10 found out that there was -- the building had been
11 sold, and there was an application.

12 I talked to the builders, who I got to
13 know pretty well, who is doing a project next door
14 to me.

15 I talked to the parish priest. I
16 talked to some neighbors, and my concern was the
17 view of the steeple coming down the street.

18 Well, it is a late 1800 building, and I
19 don't have to explain it. I am sure most of you can
20 look at it. If you haven't, shame on you. But this
21 builder has decided to accommodate and paid
22 attention. The setback is certainly helpful, any
23 setback whatsoever.

24 I agree with not extending it any more,
25 so that the window in the transept is not blocked.

1 I think they have gone a long way on this.

2 I do think, however, that a setback on
3 the front on the top floor would improve the view of
4 the steeple, although I am not an architect, and
5 I -- that is an opinion, and that opinion, it's the
6 truth, that it is an opinion.

7 But with regard -- if I might
8 quickly -- with regard to setbacks, the architect
9 said, well, you know, setbacks are preferred on the
10 top floor, if we are going to do it on the rear
11 instead of on the front. I would like to suggest
12 that the donut as we all know is sacrosanct, very
13 important.

14 I live with a donut behind me, and I
15 find that where you have a setback on the back or on
16 the top floor, it is often used quite well for
17 socializing, and it really takes away from the
18 interior of the donut both with parties going on and
19 with the light issue, and I would like to suggest
20 the Board -- the city reconsider the matter of not
21 wanting to have setbacks on the front, and also
22 bedrooms in most of these buildings are in the rear
23 for the reason of quiet and light.

24 So that is just a thought I would like
25 to pass on, and I would like to encourage this Board

1 to consider, so in view of the steeple, a ten foot
2 setback on the top floor of this building.

3 Thank you.

4 CHAIRMAN HOLTZMAN: Thank you, Mr.
5 Vance.

6 MR. VANCE: Thank you.

7 MR. GALVIN: Please raise your right
8 hand.

9 Do you swear or affirm the testimony
10 you are about to give in this matter is the truth,
11 the whole truth, and nothing but the truth?

12 MS. ADAMS: Yes.

13 MR. GALVIN: State your full name for
14 the record and spell your last name.

15 MS. ADAMS: Elizabeth Adams, A-d-a-m-s.

16 MR. GALVIN: And your street address,
17 please?

18 MS. ADAMS: 320 Monroe Street.

19 MR. GALVIN: Thank you.

20 You may proceed.

21 MS. ADAMS: Good evening.

22 Tonight I'm speaking as a neighbor to
23 St. Joseph's Church.

24 As of mid October, I will have resided
25 in Hoboken for 12 years. What is really a rather

1 relatively short period of time, I have witnessed
2 many changes to the city. Frankly, not many of them
3 very good ones.

4 I am referring here to what has all too
5 swiftly become the over-development of Hoboken.

6 Specifically, the construction of housing that is
7 not affordable to average working class people, many
8 of whom were born and raised here and now have been
9 forced to leave Hoboken because of the outrageous
10 rents and taxes that have only continued to rise
11 even after Hurricane Sandy.

12 Neighborhoods that once enjoyed a home
13 life overall and unified look and therefore charm
14 have become increasingly subject to the intrusion of
15 sterile looking barrack style box type structures.

16 To add injury to insult, many of these
17 structures have become in no small part responsible
18 for the increased flooding problems that continue to
19 plague our community. This neighborhood I think
20 took --

21 MR. MATULE: I have to object. I
22 realize this is public comment, but I think we are
23 now getting into expert testimony.

24 I would like to request some foundation
25 for that comment because to my understanding, all of

1 the new buildings have to have stormwater detention,
2 which the buildings they are replacing do not have,
3 and all the water runs off into the street.

4 I appreciate the hyperbole at this
5 point, but I have to object.

6 MR. GALVIN: Ms. Adams, please --

7 MS. ADAMS: Well, if you will allow me
8 to continue, I will have much more --

9 MR. GALVIN: -- please continue, Ms.
10 Adams.

11 MS. ADAMS: All right. Thank you.

12 When I first arrived in Hoboken, St.
13 Joseph's was the first house of worship that I
14 attended before I became aware of any others in the
15 city.

16 A very spiritual experience that is
17 unique to the St. Joseph's Church is to view the
18 sunlight streaming through its beautiful stained
19 glass windows.

20 The construction of this building will
21 in all likelihood interfere in a major way with the
22 experience that generations have enjoyed.

23 The integrity of this historic house of
24 God should be respected as well as the integrity of
25 the surrounding neighborhood. That respect should

1 be reflected in the construction of the scaled back
2 building that is attentive to the needs of the
3 community at large and not simply the desires of
4 real estate developers, who in all likelihood have
5 no interest in Hoboken, other than to make a tidy
6 profit.

7 Thank you for your time.

8 MR. GALVIN: Thank you.

9 CHAIRMAN HOLTZMAN: Thank you.

10 Any other members of the public that
11 wish to offer any opinions or questions at this
12 time?

13 Okay.

14 Commissioners, to circle back. Dennis,
15 you have a number of conditions here that you were
16 working on?

17 MR. GALVIN: Yes, not too many.

18 COMMISSIONER PINCHEVSKY: Before that,
19 I have my standard condition about parking should
20 the building be a condo, would the parking be
21 considered -- would they be deeded spots?

22 MR. MATULE: Yes.

23 COMMISSIONER PINCHEVSKY: Thank you.

24 MR. GALVIN: Okay. I'll get to that.
25 I will add that at the end.

1 COMMISSIONER PINCHEVSKY: Thank you.

2 MR. GALVIN: Yes. I'm not going to
3 read it out loud, but I'll add that.

4 COMMISSIONER PINCHEVSKY: Thank you.

5 MR. GALVIN: I'm not going to read it
6 out loud, but I'll add it.

7 COMMISSIONER PINCHEVSKY: Thank you.

8 MR. GALVIN: One: The applicant is to
9 comply with the Board's Engineer and Planner's
10 reports.

11 Two: The revised plan is to be
12 submitted to the Engineer's and Planner's review of
13 the impact of setting the building back 2.8 feet and
14 will confirm that no additional variance relief is
15 required and that building coverage remains
16 unchanged at 36 percent --

17 MR. ROBERTS: 63.

18 MR. GALVIN: -- 63.

19 I don't know how I did that. All
20 right. I wasn't looking at anything.

21 Three: This application is to submit
22 to the Flood Plain Administrator for her review and
23 approval with additional attention given to the
24 sprinkler room and the elevator.

25 Four: The stormwater management plan

1 is to be reviewed and approved by the Board's
2 Engineer. The applicant agreed to exceed the NHS
3 standard by as close to double as determined by the
4 Board Engineer.

5 Five: The applicant in consultation
6 with their neighbor, St. Joseph's Church, agree that
7 the south wall is not flush. The applicant agreed
8 to put a light color, even a reflective wall.

9 B: The applicant agreed to donate
10 several street trees in the front of the church in
11 consultation with the Shade Tree Commission --

12 CHAIRMAN HOLTZMAN: Five or six.

13 MR. GALVIN: -- five or six shade
14 trees.

15 MS. CARCONE: That is in addition to
16 the two in front of the new building.

17 CHAIRMAN HOLTZMAN: One second.

18 Thank you, Pat.

19 MR. GALVIN: Good job.

20 Okay. I have: The applicant agreed to
21 donate five to six shade trees in front of the
22 church, in addition to the two in front of the
23 building, all to be planted in consultation with the
24 Shade Tree Commission.

25 C: The applicant agreed that it would

1 provide St. Joseph's -- some of the pavers are being
2 removed.

3 D: The applicant agreed to auger
4 before driving piles for the building to reduce the
5 impact on the church steeple.

6 E: The applicant agreed to remove the
7 existing concrete and brick debris.

8 MR. MATULE: Correct.

9 MR. GALVIN: All right.

10 What I want to reflect is this
11 condition number five is just a reflection of what
12 the applicant has offered to the church, and I am
13 including it. It is not something that the Board is
14 demanding, other than the two street trees in front
15 of the building.

16 CHAIRMAN HOLTZMAN: Mr. Matule, is
17 there anything else that we want to put on the table
18 to potentially balance the equation?

19 Did you want to take a moment with your
20 applicant?

21 MR. MATULE: I'll take a moment, yes.
22 if the Board wants to take a break.

23 CHAIRMAN HOLTZMAN: Thank you.

24 We do have one other member of the
25 public I think that wanted to speak.

1 So please come on up, ma'am.

2 MR. GALVIN: Raise your right hand.

3 Do you swear or affirm the testimony
4 you are about to give in this matter is the truth,
5 the whole truth, and nothing but the truth?

6 MS. HOPPMANN: I do.

7 MR. GALVIN: State your full name for
8 the record and spell your last name.

9 MS. HOPPMANN: Kathleen Hoppmann,
10 excuse me, H-o-p-p-m-a-n-n.

11 MR. GALVIN: And your street address,
12 ma'am?

13 MS. HOPPMANN: 318 Park.

14 MR. GALVIN: All right.

15 You may proceed.

16 MS. HOPPMANN: I just -- when you are
17 clarifying that the trees -- I work for St.
18 Joseph's. You are clarifying that the trees need to
19 be in conjunction with the Shade Commission.

20 I just need that to be clarified, that
21 it is in conjunction with St. Joseph's because the
22 Shade Commission wanted to put one of the trees
23 right in front of our front door when they were
24 planting the last one.

25 And then we have a little problem with

1 funerals and weddings, and I didn't know if that is
2 something that --

3 CHAIRMAN HOLTZMAN: Right.

4 The purpose -- the Shade Tree
5 Commission has a set of guidelines as to how trees
6 are planted, what types, what size, tree guards, so
7 that at least if a tree gets planted, it has a good
8 chance of succeeding.

9 MS. HOPPMANN: Right. I understand.

10 I just -- we had a problem because, as
11 I said, they tried to put one by the front door.

12 CHAIRMAN HOLTZMAN: Sure.

13 MR. MATULE: If I might, the proffer
14 was that we would plant them according to the Shade
15 Tree Commission guidelines in consultation with the
16 church as to where they wanted to plant them.

17 MS. HOPPMANN: Right.

18 CHAIRMAN HOLTZMAN: Great.

19 MR. MATULE: So the Shade Tree
20 Commission --

21 MS. HOPPMANN: Right. That's what you
22 said, but that's not what was said --

23 MR. GALVIN: It is not, but I'll fix
24 it.

25 MS. HOPPMANN: -- and I wanted to make

1 sure that that didn't go to the Shade Commission --
2 Shade Tree Commission, and there would be -- that's
3 all --

4 MR. GALVIN: No, we're going to take
5 care of it.

6 MS. HOPPMANN: -- and that's all.

7 CHAIRMAN HOLTZMAN: We appreciate you
8 keeping the attorney in line.

9 (Laughter)

10 MR. MATULE: Are we going to --

11 MR. ROBERTS: Mr. Chairman, just I
12 don't remember hearing a condition about subject to
13 the Flood Plain Administrator's review and approval
14 of the flood door?

15 CHAIRMAN HOLTZMAN: Yes, we got that.

16 MR. ROBERTS: You got that. Okay.

17 CHAIRMAN HOLTZMAN: We got that big
18 time.

19 Do you want to take second, Mr. Matule?

20 MR. MATULE: Sure.

21 CHAIRMAN HOLTZMAN: Thank you.

22 COMMISSIONER PINCHEVSKY: While Mr.
23 Matule takes a second --

24 MR. GALVIN: No, no, no. You can't do
25 that.

1 CHAIRMAN HOLTZMAN: We're talking
2 behind his back.

3 COMMISSIONER PINCHEVSKY: Oh, well, I
4 was just going to --

5 CHAIRMAN HOLTZMAN: No. That would be
6 talking behind his back.

7 No. We are on the record.

8 MR. GALVIN: On this case?

9 (Board members talking at once.)

10 THE REPORTER: Is this on the record?

11 MR. GALVIN: We are off the record
12 right now,

13 Smoke them if you got them.

14 (Laughter)

15 (Recess taken)

16 CHAIRMAN HOLTZMAN: We are back on the
17 record.

18 Mr. Matule is in front of us.

19 Can we get everyone's attention real
20 quick, and we are going to wrap this up.

21 Mr. Matule, the floor is yours.

22 MR. MATULE: Mr. Chairman --

23 MR. GALVIN: Hello.

24 I'm sorry. We came back on the record,
25 and you didn't know it.

1 MR. MATULE: I had an opportunity to
2 consult with the architect and my client.

3 What we can proffer to the Board, since
4 there is a concern about the impact of the building
5 depth on the property to the north, we can take off
6 what we are calling, for lack of a better term, rear
7 bar on the north side of the building, retain the
8 one that is approximately in the center of the
9 building. That eliminates a footprint of 42 square
10 feet, which would then bring our total footprint to
11 3108, which is 62.16 lot coverage.

12 CHAIRMAN HOLTZMAN: And eliminates the
13 back of the building protrusion closest to the
14 southern neighbor?

15 MR. MATULE: On PB-2, I am just
16 circling it. It's that bay there. It will be
17 flush. The building will be flush there. There
18 will just be the bumpout in the middle in the back.

19 CHAIRMAN HOLTZMAN: Okay. That sounds
20 very amenable.

21 Good. Okay.

22 So we have five conditions as read by
23 Dennis. We have an additional piece of
24 consideration of the rear extension of the back of
25 the building to the south that will now be brought

1 in line with --

2 MR. MATULE: North.

3 CHAIRMAN HOLTZMAN: -- to the north --

4 I'm sorry -- to the north that will be brought in
5 line with the building that is adjacent?

6 MR. MATULE: No.

7 CHAIRMAN HOLTZMAN: I'm sorry, no.

8 MR. MATULE: No.

9 What is going to happen is it's going
10 to be removed, and the rear wall of our building
11 will be just straight across.

12 CHAIRMAN HOLTZMAN: So it will be
13 straight across on that --

14 MR. MATULE: It will still be deeper
15 than the building next door to the north.

16 CHAIRMAN HOLTZMAN: But the bumpout --

17 MR. MATULE: But the bumpout will be
18 gone.

19 CHAIRMAN HOLTZMAN: -- will be
20 eliminated.

21 COMMISSIONER PINCHEVSKY: So it will be
22 three feet less.

23 MR. MATULE: Three feet less.

24 CHAIRMAN HOLTZMAN: Three feet less on
25 that side.

1 COMMISSIONER PINCHEVSKY: But there
2 will be one bay in the middle sticking out.

3 VICE CHAIR MAGALETTA: The southern
4 bay --

5 CHAIRMAN HOLTZMAN: Okay.

6 So is there a motion to accept the
7 application with the seven conditions as read by
8 Dennis and the additional consideration of the
9 removal of the bumpout as described by Mr. Matule?

10 COMMISSIONER MC KENZIE: Yes, I move.

11 CHAIRMAN HOLTZMAN: There's a motion to
12 accept.

13 Is there a second?

14 COMMISSIONER STRATTON: I'll second.

15 CHAIRMAN HOLTZMAN: Second from Mr.
16 Stratton.

17 Pat, please call the roll.

18 MS. CARCONE: Commissioer Magaletta?

19 VICE CHAIR MAGALETTA: Yes.

20 MS. CARCONE: Commissioner Stratton?

21 COMMISSIONER STRATTON: Yes,

22 MS. CARCONE: Commissioner Graham?

23 COMMISSIONER GRAHAM: No.

24 MS. CARCONE: Commissioner McKenzie?

25 COMMISSIONER MC KENZIE: Yes.

1 MS. CARCONE: Commissioner Peene?

2 COMMISSIONER PEENE: Yes.

3 MS. CARCONE: Commissioner Pinchevsky?

4 COMMISSIONER PINCHEVSKY: Yes.

5 MS. CARCONE: Commissioner Jacobson?

6 COMMISSIONER JACOBSON: Yes.

7 MS. CARCONE: Commissioner O'Connor?

8 COMMISSIONER O'CONNOR: Yes.

9 MS. CARCONE: Commissioner Holtzman?

10 CHAIRMAN HOLTZMAN: Yes.

11 Thank you very much.

12 MR. GALVIN: Bob, did you say 62.17?

13 MR. MATULE: 62.16. 3108 over 5,000.

14 MR. GALVIN: Okay.

15 MR. MATULE: Thank you for your
16 consideration, and I apologize for the amendment on
17 the fly.

18 CHAIRMAN HOLTZMAN: We got there, Mr.
19 Matule.

20 Thank you.

21 Okay. We are going to take a
22 ten-minute break, Folks

23 (Recess taken)

24 (The matter concluded)

25

C E R T I F I C A T E

I, PHYLLIS T. LEWIS, a Certified Court Reporter, Certified Realtime Court Reporter, and Notary Public of the State of New Jersey, do hereby certify that the foregoing is a true and accurate transcript of the proceedings as taken stenographically by and before me at the time, place and date hereinbefore set forth.

I DO FURTHER CERTIFY that I am neither a relative nor employee nor attorney nor counsel to any of the parties to this action, and that I am neither a relative nor employee of such attorney or counsel, and that I am not financially interested in the action.

s/Phyllis T. Lewis, CCR, CRCR

PHYLLIS T. LEWIS, C.C.R. XI01333 C.R.C.R. 30XR15300
Notary Public of the State of New Jersey
My commission expires 11/5/2020.
Dated: 8/5/16
This transcript was prepared in accordance with
NJAC 13:43-5.9.

CITY OF HOBOKEN PLANNING BOARD
 REGULAR MEETING
 CASE: HOP-16-11

- - - - - X
 RE: 807-809 Castle Point Terrace :
 Block: 236, Lots 3 and 4.02 : August 2, 2016
 Zone: R-1(E) : 9 p.m.
 APPLICANT: Trustees of Stevens :
 Institute of Technology :
 Preliminary & Final Site Plan and :
 Variance Review :
 (Continued from 6/28/16) :
 - - - - - X

Held At: 94 Washington Street
 Hoboken, New Jersey

B E F O R E:

Chairman Gary Holtzman
 Vice Chair Frank Magaletta
 Commissioner Caleb D. Stratton
 Commissioner Jim Doyle
 Commissioner Ann Graham
 Commissioner Caleb McKenzie
 Commissioner Ryan Peene
 Commissioner Rami Pinchevsky
 Commissioner Tom Jacobson
 Commissioner Kelly O'Connor

A L S O P R E S E N T:

David Glynn Roberts, AICP/PP, LLA, RLA
 Board Planner

Andrew R. Hipolit, PE, PP, CME
 Board Engineer

Patricia Carcone, Board Secretary

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I N D E X

WITNESS

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BRENT DOUCETTE

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E X H I B I T S

EXHIBIT NO.

DESCRIPTION

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Route Plan

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A-6

Plan

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1 CHAIRMAN HOLTZMAN: Okay. We are back
2 on the record.

3 Good evening, everybody.

4 Mr. Tuvel, are you ready?

5 MR. TUVEL: I'm ready.

6 CHAIRMAN HOLTZMAN: Thank you.

7 I'm sorry that we took so long this
8 evening. I know we were rather distracted, but we
9 appreciate your juggling and working with us.

10 MR. TUVEL: Thank you.

11 Jason Tuvel, attorney for the
12 applicant, Stevens Institute of Technology, on this
13 application for Block 236, Lots 3 and 4.02.

14 Speaking with your counsel today, we
15 talked about changing up the format a little bit for
16 this evening's at least presentation.

17 We did receive your Board
18 professionals' reports today. We reviewed them, and
19 I guess the goal of this evening, rather than
20 putting on some affirmative testimony from our
21 experts, like we typically would, was to hear some
22 of the feedback from those reports, maybe some other
23 feedback that we can get from the Board and the
24 public as well, and if there are changes that need
25 to be made in addition to the ones that we already

1 have, we will address those.

2 Mr. Chairman, if you don't mind, could
3 I just go through those briefly, if you would
4 indulge me for two minutes, just to go through what
5 we have done already, and then we can go from there,
6 if that is okay.

7 CHAIRMAN HOLTZMAN: All right. A lot
8 of this came down to also a timing issue --

9 MR. TUVEL: Sure.

10 CHAIRMAN HOLTZMAN: -- in terms of your
11 professionals making changes to your plans, and the
12 time that they got to our professionals did not
13 leave a lot of time for people to really do their
14 due diligence and then to get that information to
15 the Board.

16 So unfortunately, we have got a team of
17 Commissioners up here who have just received in the
18 last 24 hours a 15-page engineer's review letter and
19 a ten-page planner's review letter, so it does put
20 our team here at a bit of a disadvantage.

21 MR. TUVEL: I agree.

22 You know, and I think when you are
23 trying to address a lot of comments, like we did
24 from the last meeting, it does take time, and you
25 submit them ten days ahead of time, which you are

1 allowed by statute, but in all fairness to the
2 Board's professionals and the Board members, it
3 doesn't give them a lot of time to digest all of the
4 information, so I agree with that.

5 CHAIRMAN HOLTZMAN: Bake two weekends
6 into that thing, and before you know it, you are in
7 trouble.

8 MR. TUVEL: Yeah.

9 So let me just go over -- just do a
10 brief overview of what we did since the last meeting
11 and then we can have a discussion.

12 And let me just start by saying this:
13 Stevens, speaking on behalf of Stevens, was not
14 pleased with how the last meeting went, and we feel
15 we didn't do a good job and put our best foot
16 forward, and we take a lot of the comments that the
17 Board made and the public made very seriously.

18 And that the product that you see that
19 was resubmitted, a lot of time and effort went into
20 it. The president was involved, and I apologize on
21 behalf of them, we don't feel as though that we did
22 put our best foot forward for this application at
23 that last meeting.

24 So with that said, and specifically I
25 want to say on the architecture and the ADA access

1 that we talked about, that stuff could have been a
2 lot better presented and proposed, so I am just
3 going to go through the overview of what we did, and
4 then we can go into that discussion.

5 So in terms of the architecture, as you
6 can see, which is why I put both of these boards up,
7 and those are what were submitted, those are not new
8 exhibits or anything. Those were submitted to the
9 Board.

10 The first exhibit to your right is the
11 original plan that was EFIS. We took the comments
12 of the Board as far as changing it to brick. We did
13 that.

14 We looked at the Neo-Georgian
15 architecture that surrounded this area --

16 CHAIRMAN HOLTZMAN: Yes. I want to
17 stop you there right away, Mr. Tuvel.

18 MR. TUVEL: Sure.

19 CHAIRMAN HOLTZMAN: The Board did not
20 mention -- there were comments about siding
21 materials --

22 MR. TUVEL: Okay.

23 CHAIRMAN HOLTZMAN: -- it didn't
24 necessarily say, and this Board has never been one
25 to say - it is not an architectural review board -

1 that brick is a requirement or what we wanted --

2 MR. TUVEL: Okay.

3 CHAIRMAN HOLTZMAN: -- what the team up
4 here wanted was a little bit of inspiration from the
5 innovation university of a material that was within
6 keeping with something that was not the EFIS
7 material, and Mr. Magaletta I think mentioned brick.
8 Commissioner Stratton I remember mentioned glass,
9 metal materials, perhaps ceramics, things of this
10 nature, that would be more of a modern approach.

11 But continue.

12 MR. TUVEL: So I won't put words in the
13 Board's mouth, so I'll just explain what we did.

14 We added a cornice to the roof, and
15 there will be a parapet around all four sides.
16 There wasn't. It was only around three sides in the
17 original proposal.

18 We added more windows to break up the
19 facade. If you remember from the last one, which
20 you see right there, there were a lot of long
21 monotonous breaks in the building, so we added
22 windows to the sides.

23 We also added a canopy that's a little
24 bit different from the building that we felt looks a
25 lot nicer and more attractive, so that is sort of a

1 brief overview of what we did in terms of the
2 building.

3 There was also some mention about a
4 green roof and the possible addition of a green roof
5 to this building.

6 We already had implemented the
7 bio-retention planters, as well as the rain garden.

8 There is also a detention system on the
9 site as well, so there was already a lot of
10 stormwater management features, but we understood
11 that the Board wanted us to look at the roof and see
12 if we could do anything there.

13 The bio-retention planters that were
14 already implemented, as well as the rain garden,
15 were the idea of a professor at Stevens, Elizabeth
16 Fassman-Beck, who actually we were going to have
17 testify tonight via like a satellite or whatever,
18 which I thought was going to be fun, but we put that
19 to the side. She is actually on Block Island, and
20 we were going to have her explain her research to
21 the Board, but hopefully we'll bring her in person
22 the next time. But she actually recently got a
23 grant to do green -- experimental green roof
24 research, and we are going to implement that on this
25 building as well.

1 So on the roof there will be planters
2 that you see in your plans, and that will be part of
3 her research, and her research, which she will
4 explain in more detail when she comes here, but just
5 as a little bit of an introduction will focus on
6 stormwater management and the water quality.

7 Based on my understanding in speaking
8 with her, there has been a lot of research on the
9 volume and the runoff in terms of that feature, and
10 not with the water quality, so this will be an
11 innovative roof that will test water quality with
12 respect to green roofs, so that has also been added
13 to the plan.

14 In terms of ADA access, we had a plan
15 the last time. Just throw it out of your minds. We
16 are not proposing that.

17 We regraded the ramping system in front
18 of the building, and that will be wheelchair
19 accessible. It will work. Our civil engineer went
20 through that, and again, I apologize for the way it
21 was presented the last time, so that is in terms of
22 ADA requirements.

23 In terms of the parking --

24 CHAIRMAN HOLTZMAN: How was that
25 presented the last time?

1 I don't think I want to brush over that
2 quite so glibly.

3 MR. TUVEL: Sure.

4 CHAIRMAN HOLTZMAN: We had a
5 presentation from one of your professionals, a
6 licensed professional in the State of New Jersey,
7 that we had before this Board numerous times.

8 And as we have the record that we
9 brought with us here this evening, that person
10 testified that the treasure hunt approach to getting
11 to this building in the handicapped way worked.

12 However, when we sent our engineer out
13 there, Andy stands there in the sun for a half-hour
14 trying to figure out how on earth, he must be in the
15 wrong place, trying to figure out how with your
16 wheelchair your options are (a) the 25 steps; (b)
17 somehow pop yourself over the two foot high concrete
18 wall. And then if you accomplish either one of
19 those things, you have to somehow get into the door
20 that doesn't have a handle because it is an
21 emergency egress door.

22 MR. TUVEL: I can understand the
23 Board's frustration with that, and that is why we
24 proposed a new plan, so I would rather move forward
25 on that issue and just work with the new plan that

1 we have that we believe works.

2 I understand the commentary, and that
3 is why we changed the plan.

4 CHAIRMAN HOLTZMAN: Sure.

5 And can we have Mr. Missey replaced?

6 MR. TUVEL: I don't -- you mean Andy
7 Missey, our engineer?

8 CHAIRMAN HOLTZMAN: Yes. He is the one
9 who testified to that, and we have that on the
10 record, if you would like us to read it in.

11 MR. TUVEL: No. I know what was said.
12 We know what was said at the last meeting.

13 CHAIRMAN HOLTZMAN: Right.

14 So obviously, how is it that we would
15 take that person's testimony under any
16 professional -- with any value in the future, when
17 obviously this person either blatantly lied to us or
18 is somehow incredibly so incompetent, that they
19 couldn't realize that that was not handicapped
20 access?

21 MR. TUVEL: Well, what I would rather
22 do this evening is let's talk first about all of the
23 issues involving the plan itself.

24 Again, like I said, Mr. Chairman, I
25 apologize for the issues relating to the first way

1 we presented it, but I think going forward it works,
2 and he designed -- Mr. Missey designed those plans,
3 and we believe they do work.

4 Obviously, your professionals and the
5 Board will review it as well, so again, I just would
6 like to move forward on that issue as opposed to
7 looking back.

8 CHAIRMAN HOLTZMAN: Okay.

9 MR. TUVEL: All right?

10 In terms of the parking, you know, when
11 we explained the parking situation at the last
12 meeting, you know, sometimes you forget that this
13 Board didn't have the benefit of being at the nine
14 or ten meetings we had at the Zoning Board regarding
15 the Gateway application and the Babbio Garage
16 application, so maybe we overlooked that. We should
17 have provided some more detail on the parking.

18 So what we tried to do in connection
19 with this last resubmittal is provide to the Board a
20 table of the parking situation and how we intend to
21 work it out.

22 You know, over the nine to ten meetings
23 that we had before the Zoning Board of Adjustment on
24 this issue, their professionals reviewed the
25 parking, and I believe found it adequate, and that

1 is why they approved those applications.

2 And when we looked at the Griffith lot
3 here in connection with this application, the goal
4 was really, and we've heard it from this Board
5 before and the professionals, to make efficient use
6 of existing pavement, rather than try to find other
7 pavement on site or new pavement, rip up green areas
8 and things of that nature.

9 I think what we did here is proactively
10 in the spring restriped the Griffith parking lot to
11 get 42 additional spaces, and we were able to use
12 that lot in a more efficient way, so I think that
13 that is how we presented the application at the last
14 meeting. Maybe it wasn't as clear. Maybe you
15 didn't have the benefit of the Babbio Garage
16 testimony and what was done there and at Gateway, so
17 we provided a parking table that I hope was helpful,
18 and I will also have our traffic engineer in the
19 future to answer any questions related to the
20 parking.

21 Two other things that I wanted to
22 mention, the variances. We initially applied for a
23 lot coverage variance here. And in looking at the
24 plans, and our planner reached out to Mr. Roberts on
25 this issue, the lot coverage was calculated

1 incorrectly on our initial plan. We do not need a
2 lot coverage variance. Based on the fact that
3 obviously, as this Board knows, lot coverage in
4 Hoboken equates to building coverage, the way it was
5 calculated the last time was just based on
6 impervious area.

7 If you look at just the building
8 coverage on this site, we are actually at 37.5
9 percent, where 50 percent is the maximum, so we are
10 12.5 percent lower. We do not need a lot coverage
11 variance in connection with this application, so,
12 again, I just wanted to clear that up.

13 In terms of open space ratio, we did
14 need it. We did apply for a variance for open space
15 ratio. Right now it is existing nonconforming at 48
16 percent.

17 We were going to exacerbate that
18 nonconformity, but in fact looking at the plan
19 again, and this is why again we should have a
20 discussion tonight and not present it, so we can
21 show the Board a more revised version of the site
22 plan, there are other areas on the site and walkways
23 in the rear of this building that are existing that
24 are not needed. We can get rid of that pavement,
25 replace it with grass area and actually improve the

1 open space ratio that exists today.

2 So although there is an existing
3 nonconformity there now, we can actually make that
4 better, and we probably should have done that from
5 the beginning, but we are doing it now. We
6 acknowledge the issue and we are going to address
7 it.

8 Just bear with me on a few more things.

9 In terms of the geo-tech report, and
10 now Mr. Hipolit's letter, I notice that he asked
11 them, and I understand why there was a geo-tech
12 report done for this application.

13 I am assuming he did it because if you
14 look at the Gateway application, there was
15 significant testimony regarding geo-tech because
16 there is going to be rock excavation associated with
17 Gateway.

18 In addition to the Babbio application,
19 the Babbio Garage, there will be rock excavation
20 done there as well, and there was a geo-tech report
21 submitted.

22 We did -- Stevens did do a
23 geo-technical report in connection with this
24 property, which has been prepared by Whitestone, and
25 the findings there was that no rock will be hit, and

1 we're happy -- or excavated. There will be no
2 Serpentine issues. I am happy to provide that
3 report to Mr. Hipolit, so he can review it and feel
4 comfortable with those findings, so that was
5 something that I wanted to acknowledge.

6 One of the things before Dennis and I
7 spoke this evening -- today about the format was
8 that we were going to be prepared to address is the
9 logistics of bringing the modular units to this
10 location, and I know that was mentioned at the last
11 meeting. And I just want the Board to know that we
12 take that, the delivery of these materials, very,
13 very seriously.

14 What we have done even before the last
15 meeting, but after speaking with the Board, we
16 conferred -- our chief of police was actually here
17 tonight, who was actually going to come in and
18 testify, has spoken with the Hoboken Chief of Police
19 and the Parking Authority, which are the agencies
20 that would typically coordinate this. You know,
21 it's typically discussed before a Board, but I can
22 see why it would be a concern because of the nature
23 of the construction.

24 We have coordinated that, and we
25 believe we did come to a consensus on how and when

1 these materials should be delivered.

2 Also, Stevens, the manufacturer of this
3 material, Mod Space, did do a lot of analyses, and I
4 also have that person here as well, and he could
5 come testify in the future, if that is what the
6 Board prefers, analyzed the size of these trucks,
7 analyzed all of the surrounding streets, overhead
8 wires, things of that nature, the roads, to
9 determine that these could be there.

10 So I just want everybody to understand
11 that Stevens has done its homework with respect to
12 this, and has spoken to the appropriate authorities
13 that typically deal with these types of issues, so
14 if that wasn't communicated well at the last
15 meeting, I apologize. And if the Board still has
16 questions about it, we are happy to go through it.

17 CHAIRMAN HOLTZMAN: All right.

18 The problem here is I have also spoken
19 to those people in the administration --

20 MR. TUVEL: Okay.

21 CHAIRMAN HOLTZMAN: -- and when I sat
22 down and explained to them the actual requirement
23 and the type of building this is and how these
24 things would need to move through town, they didn't
25 seem to understand that at all --

1 MR. TUVEL: Okay.

2 CHAIRMAN HOLTZMAN: -- so this is a
3 situation, where that has not been either properly
4 communicated to the people on the administration
5 side, or they are not grasping the scale and the
6 magnitude of it, and I don't know if it is a lack of
7 their understanding or a lack of whomever spoke with
8 them being completely forthright about it --

9 MR. TUVEL: Okay. Well, we're --

10 CHAIRMAN HOLTZMAN: -- because when I
11 had a conversation --

12 MR. TUVEL: -- sorry about that.

13 CHAIRMAN HOLTZMAN: -- with Mr. Stephen
14 Marks about it this week with Director Morgan, when
15 the size of the trucks required to move this
16 material was literally with a model working it
17 through Washington Street, which would require then
18 Washington Street to be closed in two directions to
19 be able to get an 18-wheeler sized truck to turn
20 right to the east up 8th Street, both sides of 8th
21 Street would certainly be vacated by any cars
22 because of the dog leg that occurs from 8th Street
23 when it crosses Hudson Street.

24 Then there seems to be another part of
25 the formula that was missing, which was once you get

1 to the top of the hill in front of the fraternity
2 house where the circle is --

3 MR. TUVEL: Right.

4 CHAIRMAN HOLTZMAN: -- how those
5 components would possibly get to the rear, which Mr.
6 Hipolit suggested that it would require craning
7 those over the residence walls, at which point there
8 would need to be a considerably sized crane and a
9 requirement for an OSHA rigging plan and other types
10 of things.

11 So when I had that conversation with
12 some professional advice from Mr. Hipolit, that
13 magnitude of scale did not seem to ever get through
14 to the people in the administration that your people
15 spoke to.

16 MR. TUVEL: So let me propose this,
17 because we got to get it right. That is the bottom
18 line. It's got to be -- we got to get it right, and
19 everybody has to feel comfortable.

20 So, you know, like I said, typically
21 logistic plans aren't worked at Planning Boards, but
22 I am happy to have the Stevens' folks and the
23 Stevens' Chief of Police meet with, Mr. Chairman,
24 anyone who you think is necessary, whether that be
25 Mr. Marks, Mr. Hipolit, and go through it. We're

1 happy to do that.

2 We thought it through. We think it
3 works, but there are --

4 CHAIRMAN HOLTZMAN: And just to add a
5 name to the list, Andy, I don't know, do you recall
6 who the folks are at T&M?

7 MR. TUVEL: Dan Swazie.

8 CHAIRMAN HOLTZMAN: Right. Dan. Dan
9 from T&M needs to be looped in on it also, because
10 at the same time that some of this material might be
11 moving, we have got Washington Street, which might
12 be completely torn up and add, you know,
13 you are looking at these very specific type of
14 windows that don't seem to allow for any buffer room
15 for anything to go wrong, and if all of a sudden the
16 whole sewer line is being replaced on 8th Street,
17 your whole project goes south.

18 MR. TUVEL: Right.

19 So I am aware of that. This is I think
20 the most I've gotten involved in a logistics plan.
21 But we are aware that T&M is starting from the
22 southern end of town heading north in terms of how
23 the construction is going to work with respect to
24 Washington Street, so we were planning on
25 coordinating with them to ensure that time frames

1 made sense with respect to their construction, so I
2 agree with you, that that person also needs to be
3 involved.

4 CHAIRMAN HOLTZMAN: And I will tell
5 you, I don't want any more information about this,
6 but somebody -- our engineer needs to be a hundred
7 percent comfortable with it, because this is too far
8 in the weeds for this team to deal with. I will
9 agree with that, but we have to make sure that all
10 of the right people are in the room.

11 MR. TUVEL: Like I said to you, we got
12 to get it right. I completely agree with that.

13 CHAIRMAN HOLTZMAN: And the full story
14 has to be in the room.

15 There has been disconnects, so we have
16 to make sure we get that right. That's an important
17 one.

18 MR. TUVEL: I can't argue with you on
19 that.

20 CHAIRMAN HOLTZMAN: That is good for a
21 change.

22 (Laughter)

23 Go ahead.

24 MR. TUVEL: So I think we are good
25 there.

1 So that is really what I wanted to go
2 over before we start, so I am open to hearing the
3 Board's comments with respect to what we
4 resubmitted, and if there's anything else that the
5 Board feels we need to work on, we'll respond as
6 appropriate.

7 CHAIRMAN HOLTZMAN: Mr. Galvin?

8 MR. GALVIN: You know, one of the
9 things in talking to both the Chairman and to Jason,
10 previously Jason had asked that we allow our
11 professionals and maybe myself, I'm not sure, but to
12 meet with Stevens' professionals.

13 My opinion is the time to do that is
14 before we bring an application to the Board.

15 Once we start to engage an applicant,
16 it does look bad if we have a meeting, and then they
17 come back and say, "Well, we met your professionals,
18 and they're okay with this, and they're okay with
19 that," and then it looks like we are telling the
20 Board what you guys should approve and not approve,
21 and we never want to come off that way. And if we
22 ever do come off that way, I apologize. All right?

23 So what I think we should be looking at
24 here is this is kind of an elevated SSP meeting that
25 we are going to try to interact about this project

1 and spit ball what's going on here and what things
2 we are concerned about and stick to this plan.

3 I know there are other things on the
4 overall campus that might be of concern, but we want
5 to talk about this primarily.

6 What I would hope is they will learn
7 from us what our concerns are, take that back, make
8 adjustments to the plan, or they will be comfortable
9 with what they have so far as the correct thing to
10 do, and they will present it.

11 And when they come back the next time,
12 I am going to call it a do-over. We are going to
13 just start from that point and present this case.

14 Is that okay with everybody --

15 MR. TUVEL: Yeah, I think so --

16 MR. GALVIN: -- the Board and Stevens?

17 MR. TUVEL: -- the only issue I have is
18 with respect to everything you said is just a
19 do-over sense. I just don't want to have to
20 renotice.

21 MR. GALVIN: And as I told you on the
22 phone, you won't have to.

23 MR. TUVEL: Okay.

24 So as long as it is carried without
25 further notice, that to me is the most expensive

1 thing to do.

2 CHAIRMAN HOLTZMAN: Okay. Great.

3 Thank you.

4 Thank you, Dennis.

5 Mr. Hipolit, do you want to lead us
6 off?

7 I don't know where you want to -- you
8 had a very sensitive letter. We don't want to sit
9 here and read the whole thing, but on the other
10 hand, I don't know that many of the Commissioners
11 have had a great opportunity to really read it. It
12 gets heavy quick.

13 MR. HIPOLIT: I think, I guess going to
14 what Mr. Tuvel said, if you go to his list of
15 comments via the ADA access, the building facade --

16 MR. GALVIN: You have to speak up
17 because I can hear you great, but everybody else is
18 leaning.

19 MR. HIPOLIT: -- with respect to the
20 ADA access, the building facade, the green roof, the
21 parking details, the variances in the geo-technical
22 report, and then the access to the modular units, I
23 mean, I think they are all significant issues. They
24 indicate --

25 MR. GALVIN: Let's take them one at a

1 time.

2 MR. HIPOLIT: -- right.

3 I think if they -- I think if they chop
4 them apart one at a time, as long as we're going to
5 keep an open discussion, I can comment as they go.
6 I don't care what order they take it in, unless the
7 Board cares.

8 CHAIRMAN HOLTZMAN: Go. Start at
9 number one. Knock them out.

10 MR. HIPOLIT: Okay.

11 Well, I want to start in reverse. I
12 think we should start right with the modular units
13 and the access to the site.

14 MR. GALVIN: Now, I acknowledge we
15 normally wouldn't be that concerned with the staging
16 of construction, because that normally would be left
17 to the building department and to the city, but if
18 it's a complete impracticality, maybe you want to
19 address that.

20 MR. TUVEL: All I would say is that Mr.
21 Hipolit's questions that he put in number 20 of his
22 report were exactly what I was going to have the
23 person from Mod Space testify to, all of these
24 issues that he raised here, so I find them all to be
25 relevant as well.

1 MR. GALVIN: Let's address them right
2 now. Tell me what you got.

3 MR. TUVEL: These are the things that
4 we would hopefully address as we spoke with the
5 Chairman with the proper authorities at the city.

6 But providing a map and a route that
7 the trucks would take to get to the campus, clearly
8 we need to provide that, and the city needs to know
9 what bridge we are getting over to get in here, what
10 streets we're taking down.

11 Clearly we are going to go down
12 Washington Street. We're going to go up 8th Street.
13 That needs to be discussed, and we need to have a
14 plan that depicts that and how it's going to work.

15 MR. GALVIN: Now, there is an incline
16 there, right?

17 Can you get up that incline and make
18 the turn with the trees?

19 MR. TUVEL: Based on -- based on the
20 due diligence that Mod Space has done and Stevens
21 has done, the answer is yes, based on their due
22 diligence.

23 MR. HIPOLIT: And how do you exit?

24 MR. TUVEL: So maybe this is something
25 that wasn't clear either, and I didn't understand it

1 so --

2 MR. GALVIN: Just give us the answers.

3 MR. TUVEL: Sure.

4 The load stays there. A full tractor
5 trailer does not leave the campus, so only the cab
6 leaves the campus.

7 MR. HIPOLIT: How does it leave?

8 MR. TUVEL: So it's going to back -- I
9 should have the person --

10 CHAIRMAN HOLTZMAN: Bring him up here.

11 MR. GALVIN: Bring him up.

12 We will put him under oath just in case
13 the wheels fall off the bus, but --

14 MR. HIPOLIT: I think we need --

15 CHAIRMAN HOLTZMAN: Let's make sure --

16 MR. GALVIN: Raise your right hand.

17 Do you swear or affirm the testimony
18 you are about to give in this matter is the truth,
19 the whole truth, and nothing but the truth?

20 B R E N T D O U C E T T E, having been duly sworn,
21 testified as follows:

22 MR. DOUCETTE: Yes.

23 MR. GALVIN: State your full name and
24 spell your last name.

25 THE WITNESS: Brent Doucette,

1 D-o-u-c-e-t-t-e.

2 MR. GALVIN: And your credentials?

3 THE WITNESS: Mod Space, Construction
4 Manager with Mod Space. I've been a general
5 contractor for the last 20 years, 13 years in the
6 modular --

7 MR. GALVIN: We are going to take you
8 as a fact witness, not as an expert.

9 THE WITNESS: That's fine.

10 MR. TUVEL: Okay.

11 So, Brent, based on the questions and
12 Mr. Hipolit's --

13 CHAIRMAN HOLTZMAN: Let's start with
14 how big is the load.

15 MR. TUVEL: Oh, sure. Okay.

16 THE WITNESS: So the modular units vary
17 in size. They vary from 14 foot wide to 41 feet in
18 length to ten foot wide and 27 feet in length, so
19 there are approximately 42 units varying in those
20 dimensions.

21 CHAIRMAN HOLTZMAN: So these are what
22 are called I think volumetric pieces, is that
23 correct, how this modular is constructed?

24 THE WITNESS: Yeah.

25 We take into consideration the space

1 programming as well as the site, accessing the site,
2 and we develop the size of the units to work with
3 those components.

4 MR. HIPOLIT: How many deliveries?

5 THE WITNESS: There will be a total of
6 43 units that come in. 42 would be modular units.
7 The 43rd unit will actually be a modular elevator.

8 MR. TUVEL: And over how many days and
9 how many per day?

10 THE WITNESS: They will be -- right now
11 it is nine to ten days we're guessing or estimating.

12 MR. TUVEL: And how many units per day?

13 THE WITNESS: There will be anywhere
14 from five to six units per day.

15 VICE CHAIR MAGALETTA: You should have
16 a separate rig bringing it in --

17 THE WITNESS: I'm sorry?

18 VICE CHAIR MAGALETTA: -- you should
19 have a separate rig bringing it in, or is it a
20 couple of units or what --

21 THE WITNESS: It will be a separate
22 rig, so there will be anywhere from five to six or,
23 you know, depending, and they will be coming in in
24 stages.

25 MR. HIPOLIT: So what will be the first

1 unit that gets delivered to the site? How do you do
2 it?

3 THE WITNESS: From the factory.

4 MR. HIPOLIT: No. Once it gets to
5 Hoboken, how, adjacent to the site, where it
6 stops --

7 THE WITNESS: Want me to hold up the
8 board up or --

9 MR. TUVEL: Yeah, sure.

10 I didn't think we would get into the
11 exhibits, but we might as well.

12 CHAIRMAN HOLTZMAN: That is fine.

13 MR. GALVIN: That's all right, but --

14 CHAIRMAN HOLTZMAN: Tell us the story.
15 Tell us the story.

16 MR. GALVIN: And, again, if we can
17 solve this --

18 MR. TUVEL: So we'll mark this. I
19 think we're up to A-6, Phyllis.

20 CHAIRMAN HOLTZMAN: So we're coming in
21 from the north end of town. Okay. I thought it was
22 the south --

23 MR. TUVEL: And let me just mark it and
24 identify it, just so we have it on the record.

25 MR. GALVIN: Do we know what we're up

1 to?

2 MR. TUVEL: A-5.

3 MR. GALVIN: A-5.

4 (Exhibit A-5 marked)

5 MR. TUVEL: Let me just for the record,
6 identify it. I'm sorry.

7 So, Brent, can you just identify what
8 this exhibit is?

9 THE WITNESS: So this is actually a
10 route plan. This was developed by your office -- by
11 our office and in conjunction with discussions with
12 the City of Hob -- officials from the City of
13 Hoboken and the Parking Authority, as well as --

14 CHAIRMAN HOLTZMAN: So, Mr. Tuvel,
15 let's just add to the list of folks that need to be
16 looped in --

17 MR. TUVEL: Sure.

18 CHAIRMAN HOLTZMAN: -- on the
19 transportation of units --

20 MR. TUVEL: I got my list already.

21 CHAIRMAN HOLTZMAN: -- Mr. Hipolit and
22 Mr. Marks.

23 MR. TUVEL: Mr. Marks and Mr.
24 Hipolit --

25 CHAIRMAN HOLTZMAN: Yeah. Let's

1 make --

2 MR. TUVEL: -- and T&M, the person from
3 T&M.

4 CHAIRMAN HOLTZMAN: Dan from T&M,
5 right?

6 COMMISSIONER STRATTON: And Director
7 Morgan, Transportation --

8 MR. TUVEL: Yeah. We already --

9 CHAIRMAN HOLTZMAN: We already had him
10 looped in, but --

11 MR. TUVEL: -- and the Chief of Police
12 as well.

13 CHAIRMAN HOLTZMAN: You need to take it
14 up a notch.

15 MR. GALVIN: That should be a meeting.
16 That should be a meeting, guys. You should set that
17 up --

18 MR. TUVEL: We're happy to do it.

19 MR. HIPOLIT: A couple things before
20 you start.

21 THE WITNESS: Yeah.

22 MR. HIPOLIT: And I remember what I
23 heard last time.

24 When are they going to be delivered?

25 Give me the actual time of year and the

1 dates and how.

2 THE WITNESS: It will probably be for
3 the new year, 2017.

4 MR. HIPOLIT: When? That is a big
5 year.

6 THE WITNESS: Right now I think we are
7 looking at January.

8 MR. HIPOLIT: Is school in session or
9 not in session?

10 MR. TUVEL: When you say "school," do
11 you mean Stevens or regular school?

12 MR. GALVIN: Stevens.

13 MR. HIPOLIT: Stevens.

14 MR. TUVEL: I think it would probably
15 be during their winter break.

16 A VOICE: It's the end of the winter
17 break.

18 MR. GALVIN: The end of what?

19 A VOICE: It's the end of the winter
20 break.

21 CHAIRMAN HOLTZMAN: Who is this guy?

22 Do you want him identified?

23 MR. GALVIN: No, we're okay.

24 MR. HIPOLIT: Is the campus occupied at
25 all during the winter break?

1 MR. TUVEL: There are people still
2 there, yeah, sure.

3 MR. HIPOLIT: Is the amount of people
4 there equal -- equivalent to what is there in the
5 summertime or now?

6 THE WITNESS: Hum...

7 MR. GALVIN: Let's get somebody else
8 up.

9 Is Bob already under oath, right?

10 MR. MAFFIA: There are summer camps and
11 everything that are going on. We don't have those
12 camps going on during winter break. It's not a lot
13 of people.

14 The students don't come back until the
15 third week of January.

16 CHAIRMAN HOLTZMAN: Okay.

17 Keep moving, Andy.

18 What else?

19 MR. HIPOLIT: No --

20 CHAIRMAN HOLTZMAN: Go ahead.

21 MR. GALVIN: Thank you, Bob.

22 THE WITNESS: So the process -- the
23 units would actually come in towards the upper
24 George Washington Bridge, Route 80. There would be
25 about anywhere from once again five to six units.

1 They would be staged at the bridge area.

2 From there, we would actually take the
3 first unit down and come in over Willow Ave over to
4 14th Street to Washington Street up to 8th.

5 The units would be brought in staggered
6 to allow to work with the police to access.

7 Once that unit is up in place, the
8 truck or the rig would unhook from the unit and come
9 back down 8th and then head out of the city --

10 MR. HIPOLIT: Stop there.

11 You are going to go up 8th, and then go
12 past the circle?

13 THE WITNESS: Go past the circle, yes.

14 MR. HIPOLIT: Go up to the kind of
15 round-about?

16 THE WITNESS: Yeah, we go up around to
17 the round-about.

18 MR. HIPOLIT: Go around that area?

19 THE WITNESS: We would stop --

20 VICE CHAIR MAGALETTA: Could you use
21 the other map?

22 THE WITNESS: Yeah, I'm sorry. Yeah.

23 So we would basically stop within the
24 access road in the campus here adjacent to the
25 project site, and at that point the rig would

1 unhook, and we would actually take a piece of
2 equipment, a lull, you know, and take that unit and
3 bring it into a staging area that we have identified
4 off the road access.

5 MR. HIPOLIT: So I think what is
6 important to the Board, and this is where your
7 access to the site and delivery becomes part of the
8 Planning Board information.

9 Driving that loop in the reverse
10 direction, it is difficult with a car. It is not
11 easy. It's not an easy loop to drive.

12 Even making the turn of the road that
13 goes back to where you are going is small for a car.

14 So I am now going to institute an
15 18-wheeler in that reverse direction, so I am not
16 sure you can even do that without going over curbs
17 and grass and all of that other stuff.

18 THE WITNESS: Yeah.

19 MR. HIPOLIT: So it is going to cause a
20 lot of disturbance on the campus for the grass, the
21 curbing, the possible light poles to all kinds of
22 stuff that the Board has to at least know about,
23 because once you disturb it, you're going to have to
24 restore it.

25 THE WITNESS: Yeah.

1 MR. HIPOLIT: So that big load that
2 comes down from the upper building that you're going
3 to unload, that's all going to get disrupted --

4 THE WITNESS: That's correct, right.

5 MR. HIPOLIT: -- and that is all an
6 easy part of your plan, soil erosion and all. There
7 is a lot that the Board needs to see --

8 THE WITNESS: Okay.

9 MR. HIPOLIT: -- because are you going
10 to restore it the way it is now, or are you going to
11 put back the lights the way they are, and the grass
12 the way it is?

13 You're talking about tracking pads. I
14 don't know what you're doing. I can just tell you
15 based on my experience, it is going to cause a hell
16 of a lot of destruction.

17 And you are not going to be able to
18 have any other cars in the loop or anybody else
19 there. We're not going to be able to have fire
20 access up there, city blocks and width, in one
21 direction, and the other direction once you're
22 there. So that becomes part of the consideration
23 for our fire department, if there is a problem
24 there.

25 You have security that's up there full

1 time, and we see them there. But the issue is if
2 the kids do want to come to campus or your students
3 want to come during their break, how do you get them
4 there and where do they go to?

5 The logistics of what happens on that
6 campus is of utmost concern to the Board. It is not
7 going to be easy.

8 It's five plus units a day over a
9 nine-day period. What you are telling me is you are
10 shutting down campus.

11 If you want to do that, I am okay with
12 that, but we haven't heard that.

13 So you can say to these guys, we are
14 going to shut down our school. Seven days of the
15 week comes, we set these trucks. We're going to
16 give your fire department special access up both
17 roads and close the place down. It works. You can
18 do it. There will be a disturbance, but if you are
19 going to leave it open, I don't know how you will do
20 it.

21 THE WITNESS: So the units will
22 actually be, you know, from the city line of Hoboken
23 to the project site, we are anticipating 15 minutes,
24 20-minute transportation for each unit.

25 Once they get that to that off-loading

1 station or their area, they will be brought right on
2 the grass, and obviously road access is restored
3 until the next unit comes into place.

4 MR. HIPOLIT: Right. But you still are
5 going to have tractor trailers on it --

6 THE WITNESS: Yeah. It is a rig, but
7 it's not an 18-wheeler rig. I understand they are
8 large, but they're more compacted.

9 They will easily make the radius turns
10 within the campus, no issues.

11 MR. GALVIN: What you need to know is
12 the wheel base, right?

13 MR. HIPOLIT: The units are 41 --

14 THE WITNESS: 41 feet in length.

15 MR. HIPOLIT: What's the wheel base of
16 it?

17 THE WITNESS: The wheel bases are only
18 like 75 inches. 75 to the wheel --

19 MR. HIPOLIT: How much is it from the
20 front wheel to the back wheel?

21 THE WITNESS: How much is it from the
22 back rig to the front?

23 Keep in mind, there will be four or
24 five axles on each unit, so the --

25 MR. HIPOLIT: From the farthest axle

1 from the back?

2 THE WITNESS: From the back, you're
3 probably looking at maybe -- so 41 feet, you are
4 probably four feet in the back, six feet ten, so you
5 are probably about 30 -- 25 to 30 feet.

6 MR. HIPOLIT: Right. So --

7 MR. TUVEL: Can I jump in for one
8 second, Andy? I'm sorry.

9 I know this is an important issue and
10 like, Mr. Chairman --

11 CHAIRMAN HOLTZMAN: We're too deep in
12 the weeds.

13 Keep moving --

14 MR. TUVEL: Yes, and we are happy --
15 we're happy --

16 CHAIRMAN HOLTZMAN: -- keep moving --

17 MR. TUVEL: -- to show --

18 CHAIRMAN HOLTZMAN: -- nope, nope,
19 nope. Just keep moving.

20 MR. TUVEL: Okay.

21 MR. HIPOLIT: What I think the Board
22 needs to see --

23 MR. GALVIN: We want the solution.

24 MR. TUVEL: I understand.

25 CHAIRMAN HOLTZMAN: You'll get the

1 solution. We don't want to hear it here.

2 Thank you.

3 MR. HIPOLIT: What I think the Board
4 needs is the overall limit of disturbance, so what
5 are you going to disturb?

6 How many curbs are you jumping?

7 How many lights are you coming in off?

8 How much grass is getting disturbed?

9 We need a massive --

10 COMMISSIONER STRATTON: Can we also
11 talk about what occurs in inclement weather?

12 COMMISSIONER GRAHAM: Yes.

13 CHAIRMAN HOLTZMAN: Inclement weather,
14 what happens if --

15 MR. TUVEL: In terms of deliveries you
16 mean?

17 CHAIRMAN HOLTZMAN: No. What happens
18 if all of a sudden we got a snowstorm in the middle
19 of January?

20 THE WITNESS: We are restricted by DOT
21 regulations. So if it does snow, then we are
22 basically shut down by the Department of
23 Transportation.

24 CHAIRMAN HOLTZMAN: Okay.

25 COMMISSIONER STRATTON: And how does

1 that affect your --

2 CHAIRMAN HOLTZMAN: So I think to take
3 away from Andy's point, which is very valid, but we
4 do not need to go into that depth here is there are
5 things that are going to be disturbed. There is
6 damage that is going to occur. Acknowledge it.
7 Acknowledge that it is going to get fixed, and that
8 is the conclusion. But let's not deny that it is
9 not going to happen.

10 MR. TUVEL: I'm not denying that at
11 all.

12 CHAIRMAN HOLTZMAN: Right.
13 But not talking about it is sort of
14 denying it, so let's talk about it, and we will fix
15 it.

16 MR. TUVEL: Yeah. I don't think
17 anybody was denying that there would be -- that this
18 was going to be a construction site.

19 CHAIRMAN HOLTZMAN: That's fine.

20 Keep it going.

21 MR. TUVEL: Okay.

22 Andy, do you want to go to your next
23 topic?

24 CHAIRMAN HOLTZMAN: Do you have
25 anything else for him?

1 MR. HIPOLIT: Not on that topic. I'm
2 fine.

3 CHAIRMAN HOLTZMAN: Okay.

4 MR. GALVIN: So we understand we need a
5 revised plan as to this --

6 MR. TUVEL: Yeah.

7 I think what we need to do, as the
8 Chairman mentioned, I have a list of people that we
9 have to meet with. Mr. Hipolit is included.

10 We get into a room, discuss it. If the
11 plan needs to be revised, we change it to make
12 everybody comfortable with the logistics plan, and
13 we'll have to do that.

14 CHAIRMAN HOLTZMAN: Great.

15 MR. GALVIN: To the extent that there
16 is a disturbance, it has to be called out on the
17 plan, right?

18 MR. TUVEL: Okay. That's fair.

19 CHAIRMAN HOLTZMAN: That's it.

20 MR. GALVIN: That's the -- those are
21 two different issues.

22 CHAIRMAN HOLTZMAN: Right.

23 Mr. Magaletta?

24 VICE CHAIR MAGALETTA: If you come back
25 and testify again, I would ask that you bring a

1 blowup of that site where the rigs will be off
2 loaded and where it will be stored, so we have an
3 idea of how big this site will be, the construction
4 site will be.

5 MR. HIPOLIT: Right.

6 I think one of the things you have to
7 evaluate is I think 9th Street is off limits as far
8 as access for 18-wheelers.

9 MR. GALVIN: And the other thing I
10 would say is there is a degree where we are
11 concerned about this from the practicality of it,
12 but there is another degree where we have to be
13 careful about our portfolio --

14 VICE CHAIR MAGALETTA: I understand --

15 MR. GALVIN: -- the city says it's
16 okay --

17 VICE CHAIR MAGALETTA: -- because if
18 you testify, I want to see -- that's all I'm saying,
19 is if he comes back, I want to see more detail.
20 That is all I am saying.

21 MR. TUVEL: Okay.

22 CHAIRMAN HOLTZMAN: What I am hoping is
23 that this gets all buttoned up, and Mr. Hipolit can
24 come to us and tell us that we have this dialed in,
25 guys, don't sweat it because we really don't want to

1 hear about this any more.

2 MR. TUVEL: Okay. That will be good.

3 MR. GALVIN: Except the disturbances --

4 COMMISSIONER DOYLE: Mr. Chairman,
5 would this not be like any other applications, and
6 that this is a condition, and our consultants will
7 review it, and we don't have to understand the width
8 of the tire tread of the trailers?

9 MR. GALVIN: Well, we were concerned.
10 In this instance we were concerned based on Andy's
11 looking at it, we were concerned that it wasn't
12 practical at all, and to sit here for multiple
13 nights and approve this not knowing if it would
14 function at all, I think we needed to test this out,
15 so I think we are doing what we have to do.

16 But, yes, then there is a point where
17 once they get it, and they get it fixed, you're
18 right that it should go into a subject --

19 COMMISSIONER DOYLE: But what I am
20 hearing is multiple individuals are talking about
21 the next night.

22 CHAIRMAN HOLTZMAN: The next night?

23 COMMISSIONER DOYLE: Is it a foregone
24 conclusion that we need to carry this?

25 MR. GALVIN: Yes.

1 CHAIRMAN HOLTZMAN: Yes.

2 MR. GALVIN: Yes.

3 COMMISSIONER DOYLE: Can somebody in
4 the room explain to me why that is?

5 CHAIRMAN HOLTZMAN: I think Dennis
6 introduced that at the beginning. Were you not here
7 for that?

8 I'm sorry.

9 COMMISSIONER DOYLE: Maybe he could
10 reiterate it.

11 CHAIRMAN HOLTZMAN: Sure.

12 Then reiterate it.

13 MR. GALVIN: Based on Andy's recent
14 report, there was no way that they could fully
15 comply with that report. It would be difficult for
16 them to complete under any circumstance tonight, and
17 it seemed like the team found again based on the
18 reports, that there were a lot of things that don't
19 work here.

20 We wanted to have a discussion with
21 Stevens, and I thought it would be unfair for the
22 professionals to meet with Stevens separately, and
23 then have Stevens come back and say, well, our
24 professionals said this, and our professionals said
25 that.

1 I don't think that is fair. I think
2 this is something that now that the application has
3 already proceeded this far, that it should be done
4 in a public fashion.

5 But yet, I felt that there was enough
6 of a disagreement over what is happening here, that
7 we had to kind of like ferret this case out. So I
8 actually think that when they come back the next
9 time, it is almost like they are going to start over
10 and present this case from the beginning.

11 MR. TUVEL: Dennis, let me just add
12 this.

13 Typically the logistics plan would not
14 be part of a Planning Board's purview and
15 application. I understand, though, the concern, and
16 everybody here is right, that it has to be done
17 correctly. Everybody that is involved from the
18 city's perspective needs to feel comfortable with
19 how it is going to work, so we are going to do that.

20 And I would say the only issue that I
21 would say is within the Planning Board's purview is,
22 I agree with Andy, if there is some soil erosion or
23 some disturbance that is going to occur, that we
24 should show that on the plan and make sure that
25 there's no issues concerning that, but in terms of

1 the logistics, I think that that is separate from
2 the Board's purview --

3 CHAIRMAN HOLTZMAN: That is why we have
4 assigned it to a separate meeting, a separate
5 offline meeting. We are on the same page.

6 MR. TUVEL: Okay. Perfect.

7 MR. GALVIN: We are good.

8 Let's go on to the next one, Mr.
9 Hipolit.

10 MR. HIPOLIT: I guess you are going to
11 give us a geo-technical report.

12 MR. TUVEL: Yes.

13 I guess the point there would be we
14 will submit to you a geo-tech report, the one that
15 was prepared.

16 If you have questions about it or any
17 concerns, let us know, and we will bring the
18 geo-tech person here.

19 But from my understanding, there is no
20 rock involved in this construction, unlike Gateway
21 and Babbio, which is why I'm assuming you raised
22 it --

23 MR. HIPOLIT: Okay.

24 MR. TUVEL: -- and if you have
25 concerns, we are happy to address them.

1 CHAIRMAN HOLTZMAN: So another example
2 of, make sure Mr. Hipolit has the correct
3 information. If it is what you are saying it is,
4 there should be no questions, and there is no reason
5 to have an additional person and additional
6 testimony for that.

7 MR. TUVEL: Agreed.

8 MR. HIPOLIT: Agreed.

9 CHAIRMAN HOLTZMAN: The next item.

10 MR. HIPOLIT: The ADA access, you were
11 going to provide testimony on it, so I guess we
12 might as well get right into that.

13 CHAIRMAN HOLTZMAN: So we are starting
14 over from the ADA compliance, right?

15 MR. TUVEL: Right.

16 CHAIRMAN HOLTZMAN: And we are dealing
17 with sidewalks in front at the level that the
18 building is at, correct?

19 MR. TUVEL: Correct.

20 Do you want to deal with that now, or
21 do you want to have the testimony now, or do you
22 want that at a future meeting?

23 MR. GALVIN: No. I think that that
24 should be at a future meeting as part of your plan.

25 MR. TUVEL: Yeah.

1 Also, what I wanted to talk about as
2 well, and I will introduce this exhibit just for
3 informational purposes only at this time, so this
4 will be A-6, I believe.

5 This was prepared by Lapatka, which is
6 why I don't think we should talk about it now.

7 It's that, as I mentioned earlier,
8 there is a concrete walkway, and Andy, if you walk
9 the site, there's a concrete walkway back here that
10 we don't need, and we can make it into green space
11 to further reduce open space ratio on this lot.

12 So I would rather revise the plan in
13 total, so you can see that, see what the coverages
14 are, and if there is any -- I'm sorry -- the open
15 space ratio -- and if there is any impact on
16 stormwater management, we'd like it to be for the
17 better, you can have that in advance, and we can
18 talk about it at that time.

19 MR. HIPOLIT: Fine.

20 (Exhibit A-6 marked)

21 CHAIRMAN HOLTZMAN: Good. Okay.

22 MR. ROBERTS: Mr. Chairman, one note on
23 this. I think it's probably related, but the issue
24 of the building coverage, part of that was because
25 the building sits on two lots.

I think it would be helpful if we could establish early on that the lots would be merged. If the lots are merged, then clearly there is no balance for building coverage.

CHAIRMAN HOLTZMAN: Anything preventing
that from happening, Mr. Tuvel?

MR. TUVEL: Yeah. I will take a look at it. I mean, I think it should be okay.

Typically when you consolidate lots, I would have to look to see if there is going to be any encroachments or anything like that that would make it, you know, impractical to consolidate the lots, so I will look at that issue just to make sure there is no problem.

MR. ROBERTS: Because otherwise, we are going to have to capture the building coverage lot by lot --

MR. TUVEL: Yes. You're probably right.

CHAIRMAN HOLTZMAN: Well, let's see if we can combine them and take another one off the list of asks, right?

MR. TUVEL: Correct.

CHAIRMAN HOLTZMAN: Mr. Hipolit?

MR. HIPOLIT: I guess the next issue in

1 my opinion is parking.

2 So visiting this site in mid summer,
3 campus in session or whatever you had there --

4 MR. TUVEL: Right.

5 MR. HIPOLIT: -- parking is obviously a
6 problem there --

7 MR. TUVEL: I mean -- I think that --

8 MR. HIPOLIT: -- also parking was a
9 problem, even not in the school year.

10 So when I was there, Stevens' personnel
11 was directing incoming students and parents to park
12 in the city garages. I only know because I happened
13 to be around them and trying to get a spot myself
14 just to look at the site --

15 MR. TUVEL: I mean, I'd rather -- I
16 don't know if there was a problem or not, but I'd
17 rather --

18 MR. HIPOLIT: -- no, no. There was a
19 problem. I was there.

20 MR. TUVEL: -- okay. It's a matter of
21 opinion --

22 MR. HIPOLIT: No. There was no parking
23 on site. I mean, the day I was there, I was I guess
24 right next to the admissions building, and there
25 was, I don't know, there are two little lots and

1 maybe 20 spaces, and they were empty.

2 If you parked there, somebody said,
3 "Get out of here. You can't park there."

4 MR. TUVEL: I don't know what the
5 situation was --

6 MR. HIPOLIT: I'm telling you --

7 MR. TUVEL: -- but go ahead.

8 MR. HIPOLIT: -- the lot where the
9 building is going, even though your engineer I think
10 says there's around 18 spaces --

11 MR. TUVEL: 19 I think it what it is.

12 MR. HIPOLIT: -- there's 22 -- well,
13 they were using -- when I was there, I counted the
14 ability for 22 parking spots.

15 With the ones that were there and the
16 spaces you could fit in to get 22 cars there, not
17 that that necessarily matters, with respect to
18 Griffith and the other lots, it was about half full.
19 A lot of it was Stevens' vehicles. A lot of it was
20 maintenance vehicles that take up the front two rows
21 that are next to the maintenance --

22 MR. TUVEL: Correct.

23 MR. HIPOLIT: -- in mid summer session,
24 parking was a problem. It was. I was there. I had
25 to force my way in to park, so I don't know what it

1 is like during the school year.

2 There are two issues. If you miss your
3 delivery dates, and the weather aside, you got a bit
4 of a problem. That's your function and problem, but
5 your testimony more from a planning perspective is
6 that you off set those spots out of Griffith, and I
7 don't see it.

8 MR. TUVEL: Okay. So I will try to
9 address that in terms of the parking.

10 CHAIRMAN HOLTZMAN: So the bigger
11 picture on the parking issue that I know is a
12 serious concern of some of the neighbors and
13 community groups is we have this continual story
14 about the Babbio Garage, and that was an integral
15 part of the conversation about Gateway, and there
16 are also Stevens' parking spots in some of the
17 Hoboken municipal garages as well.

18 So, again, this gets -- we are talking
19 about everything except what we are supposed to be
20 talking about, right? So, but this is what
21 neighbors' concerns are.

22 The concern is that the Babbio Garage
23 is a big trip wire and has been talked about with
24 regard to the Babbio Center, the Gateway and now
25 this project as helping to solve the problem.

1 So the big question and the elephant in
2 the room is when is that starting?

3 Why isn't it starting sooner, because
4 it would seem from a logic standpoint to help a lot
5 of the rest of the story, not just of this simple
6 modular building issue, but a lot of the other stuff
7 that seems to be the blow-over from other things
8 that come up in the neighborhood, so where is that
9 on the time line?

10 Let's make sure that that is being
11 discussed, because I think it is like the trip wire
12 that helps a lot of -- if that gets brought online,
13 it seems like a lot of other stuff doesn't need to
14 be talked about.

15 MR. TUVEL: Okay. So I will bring up
16 Mr. Maffia to talk about the time line on the second
17 building.

18 Let me just address a few things. One
19 is: We are not going to solve the campus-wide
20 parking problem in connection with this application
21 obviously.

22 You know, again, this isn't related to
23 this application, but we have started our
24 discussions on the master plan and parking in one of
25 them with the city staff, and I wasn't involved in

1 it, but our planner had their initial meeting with
2 the city's planner to discuss some of those issues
3 and how we're going to tackle them, so we are not
4 going to solve that here.

5 But I do want to say, and again, and we
6 heard it from this Board and the professionals about
7 making efficient use of already existing pavement,
8 and that is what we did hear proactively with the
9 Griffith lot, and we were able to get 42 spaces, and
10 it was an older lot and building, and it hadn't been
11 spruced up.

12 They looked at the parking area and
13 said, hey, we can get a lot more spaces out of this
14 and use it better. And they did it in anticipation
15 of the fact that the Gateway building was approved
16 back in November and that they were going to, after
17 Gateway, they would work on this application as the
18 temporary fix for the Lieb building, so I think
19 we've met --

20 CHAIRMAN HOLTZMAN: Right.

21 But the same way you are throwing out
22 that, and that is a positive that you upgraded one
23 of your own parking facilities, good. That is
24 great --

25 MR. TUVEL: Right. Okay.

1 CHAIRMAN HOLTZMAN: -- but on the other
2 hand, we have other things going on on campus as
3 well, right?

4 The police station is under
5 construction, under renovation or whatever. So now
6 we have got the police department in trailers and
7 construction materials taking up an additional
8 parking lot, so this becomes a bit of a --

9 MR. TUVEL: Okay.

10 So obviously every construction project
11 in theory, every site plan application has to be
12 dealt with on its own and --

13 CHAIRMAN HOLTZMAN: But they don't
14 because you keep telling us that the parking from
15 here is okay because we are stable over there, and
16 we did better over here.

17 MR. TUVEL: No.

18 I think in connection with this
19 specific application, what I'm saying is we put
20 online 42 additional new spaces by resurfacing the
21 Griffith lot and making more efficient use of
22 already paved surfaces as opposed to disturbing
23 green surfaces.

24 And if you look at the ordinance, in
25 the R-1(e) zone, I don't think this applies in all

1 zones, but in the R-1(e) zone with respect to
2 parking, it actually encourages this type of a
3 situation of shared parking facilities within
4 property owned by the applicant in non residential
5 districts.

6 It actually says that you don't even
7 have to demonstrate that you have that parking until
8 you are applying for your certificate of occupancy.

9 So in this situation here, which means
10 it's not part of the site plan process, in this
11 application here, we have already delineated for the
12 Board where we are adding the supply for this
13 application -- for this process here --

14 MR. HIPOLIT: Right.

15 So I think the problem is --

16 MR. TUVEL: I get the --

17 MR. HIPOLIT: -- this is where you run
18 into a problem --

19 MR. TUVEL: -- go ahead.

20 MR. HIPOLIT: -- you are adding the
21 supply of 42 spaces in the Griffith lot --

22 MR. TUVEL: Right.

23 MR. HIPOLIT: -- to off set this loss
24 of parking --

25 MR. TUVEL: Right.

1 MR. HIPOLIT: -- you don't -- those 42
2 spaces, you'll have them used before you even take
3 this parking out. You don't have any parking on
4 that one site. You need those 42 spaces --

5 MR. TUVEL: So --

6 MR. HIPOLIT: -- when I went there, the
7 Babbio Garage was full. The parking was full.
8 There was no empty spots --

9 MR. TUVEL: -- so I can --

10 MR. HIPOLIT: -- the Griffith lot in
11 the summer was half full --

12 MR. TUVEL: -- I guess my aim with this
13 discussion is so basically if we would have waited
14 to resurface -- restripe the Griffith lot and said,
15 hey, let's not do it until we file this application,
16 that would have been okay --

17 MR. HIPOLIT: No, no, no --

18 MR. TUVEL: -- but because we
19 proactively did it, I'm getting penalized for it --

20 MR. HIPOLIT: -- no, no. You're not
21 getting penalized.

22 You are losing 22 spaces. You are not
23 offsetting them anywhere else.

24 Just admit that you are losing 22
25 spaces. The Board is not against it, but you are

1 not offsetting them anywhere. You need the spaces.

2 Your site is already short of parking right now.

3 MR. TUVEL: That is not true. That's
4 not true.

5 We have a preexisting nonconforming
6 condition. Let's just take this as a hypothetical.

7 We have a preexisting nonconforming
8 condition as to the number of the parking spaces
9 that we're grandfathered into. That is why we are
10 looking at a master plan to determine what the real
11 parking solution should be -- just let me finish --

12 MR. HIPOLIT: Okay.

13 MR. TUVEL: -- so we have a preexisting
14 right to that specific amount of parking spaces,
15 okay?

16 We have an application that comes
17 online that requires a certain amount of spaces.
18 We are moving certain spaces. We are adding the
19 building, so it comes out to a net of plus 17 that
20 we need to account for, so we need to account for 17
21 spaces.

22 By resurfacing that lot, we got an
23 additional 42, so we did that knowing that this
24 building was going to come online, so we have an
25 additional 42 spaces that this 17 can be applied to.

1 That is why I'm struggling. I understand --

2 MR. HIPOLIT: You are talking zoning
3 versus actual site demand. You are not separating
4 the two.

5 For purposes of the function of
6 separating them, your site is a mess for parking.

7 MR. TUVEL: So you're talking more
8 about the master plan --

9 MR. HIPOLIT: No. I'm talking about
10 reality.

11 MR. TUVEL: -- no. You are talking
12 about the master plan issue, which is what exactly
13 should the parking ratio be for the whole campus and
14 what should we institute --

15 MR. HIPOLIT: No. That is not what I
16 am saying --

17 COMMISSIONER DOYLE: No. If you're
18 saying --

19 CHAIRMAN HOLTZMAN: Hang on a second,
20 Mr. Hipolit.

21 COMMISSIONER DOYLE: -- if you're
22 saying that there's a negative 100 parking spaces,
23 and now they will only have a negative 75 --

24 MR. HIPOLIT: The witness just
25 testified to it --

1 COMMISSIONER DOYLE: -- then that is an
2 improvement, and this is an application for this
3 building. It's not an application for the entire
4 campus and solving the entire campus' parking
5 problem --

6 MR. HIPOLIT: I'm not asking them to
7 solve that problem.

8 COMMISSIONER DOYLE: Well, you are
9 saying adding 42 spaces and losing -- you know, the
10 delta, meaning that they are going to have a surplus
11 is not satisfying what they need to do with this
12 application, and they are doing -- it doesn't solve
13 the problem, but it is improved.

14 MR. HIPOLIT: Yeah.

15 So the only difference between what you
16 are saying and what I am saying is I guess we both
17 determined improved differently. If you go to --

18 COMMISSIONER DOYLE: That's bad.

19 MR. HIPOLIT: -- if you go to their
20 campus during the summer, and they are not in
21 session, and there are no spaces available, other
22 than -- other than spaces --

23 UNIDENTIFIED VOICE: That's not true --

24 MR. HIPOLIT: -- other than spaces --

25 COMMISSIONER DOYLE: They don't agree

1 with you.

2 MR. HIPOLIT: Well, we can meet there.

3 It is irrelevant to me --

4 COMMISSIONER DOYLE: So they are
5 negative 500 spots --

6 MR. HIPOLIT: -- right, and so I'm
7 saying --

8 COMMISSIONER DOYLE: -- now they are
9 negative 475. That is less bad.

10 MR. HIPOLIT: -- but that is not what
11 they're saying --

12 COMMISSIONER DOYLE: That's not what
13 they're saying.

14 They're disagreeing with you and --

15 MR. HIPOLIT: I don't --

16 MR. TUVEL: All I am saying is that we
17 are subject to -- this application requires that we
18 provide 17 spaces. That is it.

19 I am not here to argue about whether or
20 not the campus as a whole has a parking problem.
21 This application requires an additional 17 spaces.

22 We would restripe the Griffith lot in
23 order to accommodate for that. We got 42, so that
24 is where we added the 17 that are required for this
25 application. I am not even --

1 MR. HIPOLIT: I am not --

2 MR. TUVEL: -- we're not here to
3 discuss what the practical issues are and -- I'm
4 sorry, go ahead.

5 MR. HIPOLIT: I mean, I don't want
6 to -- it is up to you guys to decide. I am only the
7 professional. I don't know.

8 CHAIRMAN HOLTZMAN: Wait, wait.

9 Mr. Maffia was going to come up and
10 tell us something wonderful about the Babbio Garage.

11 MR. TUVEL: Yes. Thank you for
12 reminding me.

13 Bob, would you --

14 MR. MAFFIA: I'd also like you to
15 understand something about the police trailers,
16 because you mentioned something about police
17 trailers --

18 CHAIRMAN HOLTZMAN: Just answer the
19 question, Mr. Maffia.

20 Tell us about the Babbio Garage.

21 MR. MAFFIA: The Babbio Garage.

22 MR. TUVEL: When does it plan to come
23 online?

24 MR. MAFFIA: It's due to start
25 construction around the third week in November based

1 on when we are going to get all of our regulatory
2 group and get our design finished and get our --
3 based on regulatory approval about the third week of
4 November is when we're going to start --

5 CHAIRMAN HOLTZMAN: It is October 2nd
6 and that's going to happen in two months?

7 MR. GALVIN: It is August 2nd.

8 COMMISSIONER DOYLE: August 2nd.

9 CHAIRMAN HOLTZMAN: August 2nd.

10 MR. MAFFIA: It's August. Yeah, about
11 the third --

12 MR. GALVIN: It only feels like it's
13 October.

14 MR. MAFFIA: -- about the third week in
15 November is when we're anticipating --

16 MR. TUVEL: So, Mr. Chairman, where we
17 are from a regulatory --

18 CHAIRMAN HOLTZMAN: So by the end of
19 the year the Babbio Garage will be started, let's go
20 with that.

21 MR. TUVEL: That's what we're hoping.
22 Yes.

23 I mean, where we are right now, I can
24 give you a list of where we are with our permits and
25 approvals.

1 We got approval from the Zoning Board I
2 believe back in May was our resolution.

3 We are working on the North Hudson
4 Sewer Authority approval right now.

5 We got our county exception letter.
6 They agreed to jurisdiction in the county.

7 So North Hudson Sewer and our DEP
8 permit are the two things that are outstanding, so
9 those are the two things that we are hoping to get
10 in the next few months.

11 CHAIRMAN HOLTZMAN: Okay.

12 Thank you.

13 MR. MAFFIA: Can I set the record
14 straight on the police trailers because you did
15 bring that up, and I don't know why we are
16 discussing police trailers because there are no
17 police trailers --

18 CHAIRMAN HOLTZMAN: I think we moved on
19 from it, Bob, so I'd say I'd leave it alone.

20 MR. MAFFIA: Is the record set
21 straight, that there are not police trailers,
22 because that's what I would like to confirm.

23 COMMISSIONER DOYLE: If I may, I
24 mean --

25 MR. MAFFIA: That is what was stated.

1 I would just like to just set the record straight.

2 CHAIRMAN HOLTZMAN: The last time I was
3 there, I saw police trailers, yes.

4 MR. MAFFIA: There are no police
5 trailers.

6 A VOICE: Where did you see police
7 trailers?

8 MR. MAFFIA: Maybe you can explain
9 that.

10 CHAIRMAN HOLTZMAN: Where the police
11 office was, that there were trailers that were being
12 used by the police department for their offices.

13 MR. MAFFIA: That's inaccurate.

14 MR. TUVEL: All right. So let's
15 just -- let's just move on.

16 MR. MAFFIA: Well, I'm just saying
17 there were no --

18 CHAIRMAN HOLTZMAN: I asked to move on
19 from it, but he didn't want to.

20 MR. MAFFIA: Because the record wasn't
21 straight.

22 MR. GALVIN: Whoa, stop, stop.

23 CHAIRMAN HOLTZMAN: Mr. Doyle?

24 COMMISSIONER DOYLE: The tenor this
25 evening is in my view unprofessional.

1 When we asked them to explain, they are
2 not relying on the Babbio Garage for their parking,
3 but we are calling them up to explain about an
4 irrelevance of this application, and when Mr. Maffia
5 decides he wants to tell us about another
6 irrelevance that he had raised, we tell him he can't
7 talk about that because we want him to talk about a
8 different irrelevance that has nothing to do with
9 this application, and it just seems that it is
10 unfortunate it is taking -- and my question earlier,
11 which I don't know that it was answered, it was
12 replied to, about the decision that was apparently
13 made that, you know, nothing can happen tonight
14 because Mr. Hipolit's letter, which is often ten
15 pages long and often we receive it, I don't
16 understand what is so unique about this other than a
17 seeming agenda with regard to this application,
18 but -- anyway, let's move on to the next.

19 CHAIRMAN HOLTZMAN: Anything else, Mr.
20 Hipolit?

21 MR. HIPOLIT: They're going to testify
22 on the ADA access. We're going to have a meeting on
23 the truck deliveries.

24 They are going to provide I guess the
25 detailed testimony on the parking, which I think in

1 all due respect to the Board members, in their
2 original testimony they talked about everything,
3 which was their other building construction, the
4 Babbio Garage, and all of this kind of wound into
5 one.

6 I think now they are bringing it back
7 to we created 42 spaces at the Griffith lot, so we
8 were -- if you look through the testimony of their
9 other applications in front of other Boards, they
10 may have already accounted for those spaces on other
11 applications, but that is really for them to testify
12 to.

13 Now, there's a lot --

14 COMMISSIONER DOYLE: If they already
15 relied on the Griffith for other applications, a
16 hundred percent, I agree.

17 MR. HIPOLIT: -- you know, they have
18 three other applications that weren't in front of
19 this Board, or one that was, and two that weren't.

20 So I think they need to build that
21 parking for you, so as a Board when you make your
22 decision on the 17 spaces, they've accounted for the
23 17 at the Griffith lot, plus whatever else they
24 accounted for on their other construction projects,
25 which aren't done yet either.

1 I mean, it is not my job or Dave's job
2 to build their application. It is theirs, and we
3 are just trying to point out for you what they need
4 to do.

5 I don't necessarily want to argue with
6 the applicant. I know there are people yelling from
7 the audience that aren't even sworn in, but they
8 have an application, and they need to build it.

9 CHAIRMAN HOLTZMAN: Okay.

10 MR. TUVEL: What I was going to say
11 is --

12 COMMISSIONER DOYLE: They are starting
13 over, I assume.

14 MR. TUVEL: -- I respectfully disagree
15 with the parking issue, because we're not -- we
16 never brought in other buildings or applications
17 into this matter.

18 At the last meeting -- and I understand
19 why it was asked, because a lot of this happened at
20 the Zoning Board with respect to the parking, so
21 this Board didn't have the benefit of a lot of that
22 information. So I understood why there were some
23 questions, and we provided that information with a
24 detailed chart, but we never deviated from our
25 initial discussion about parking, which is simply

1 very simple.

2 This application requires 17 spaces.
3 We restriped the Griffith lot, and there were 42 new
4 spaces there, so we accounted for 17 there.

5 It is pretty straightforward, but I
6 know that the Board wanted some background and
7 context with respect to parking on campus, and we
8 provided that by listing all of the parking that we
9 suggested or that was actually approved in the
10 Babbio Garage resolution by the Zoning Board and the
11 Gateway resolution by the Zoning Board.

12 I don't know what other -- I mean,
13 Andy, I don't know what other additional information
14 you need in testimony.

15 MR. ROBERTS: Mr. Chairman?

16 MR. GALVIN: Let me say one thing.

17 You know, I sat through the Zoning
18 Board hearings --

19 MR. TUVEL: Yes.

20 MR. GALVIN: -- and I'll be honest with
21 you, I have no clue where the parking is going, even
22 though I listened to all of the testimony.

23 MR. TUVEL: Yeah.

24 MR. GALVIN: I think it is fair for the
25 Board to say we allocated certain spaces in this

1 case, the Babbio Garage, and then certain spaces in
2 the Babbio Garage in the Griffith lot, right, and
3 that we should have an analysis that it is not a
4 shell game, that it's not a moving target --

5 MR. TUVEL: Okay. It's --

6 MR. GALVIN: -- no, no, let me finish.

7 All I am asking for is an accounting.
8 All we're saying is just give us an accounting of
9 it.

10 MR. TUVEL: That was supplied in the
11 resubmission --

12 MR. GALVIN: Then that's good enough.

13 Let's move on.

14 MR. TUVEL: -- but, but, but that was
15 reviewed by -- and I just want to make sure that
16 that was -- if there is more information that's
17 needed and more testimony, I want to know and
18 understand what the context is --

19 MR. GALVIN: One of the reasons why
20 we're -- listen, one of the reasons why I felt that
21 we should have this discussion tonight was for me to
22 test how the Board feels.

23 I think I am getting a pretty clear
24 impression that the Board doesn't care about that
25 issue, so we care, but we don't care a lot. So if

1 you provided it, let's move on to the next topic.

2 MR. HIPOLIT: Just provide the
3 testimony. If they did a report, they have to
4 testify to it.

5 MR. GALVIN: Yes.

6 CHAIRMAN HOLTZMAN: Mr. Roberts?

7 MR. ROBERTS: Yes.

8 If I just might, because I spent a
9 half -- two-thirds of a page on this issue in my
10 report --

11 MR. TUVEL: Okay.

12 MR. ROBERTS: -- and I would suggest,
13 and the table was helpful, and we referred to it in
14 a couple of instances, but I think in fairness,
15 there is a connection between this application and
16 Babbio and between Babbio and Gateway, and this
17 application and Griffith, and I think the testimony
18 needs to be more elaboration on that table in that
19 report, so that we can really understand about the
20 60 parking spaces that are going in the garage as
21 GUB, the 1300 Jefferson Street that is a backup, if
22 parking is not available.

23 I think this Board needs to understand
24 all of that and in context, and that is where I will
25 leave it because I think that is pretty clear.

1 MR. HIPOLIT: That's all we are asking
2 for, the same thing.

3 MR. TUVEL: And my feeling on that is I
4 respectfully disagree just because that takes us to
5 all of these other applications that are not before
6 this Board.

7 This Board -- this application requires
8 17 spaces, and that is what we are providing in the
9 Griffith lot.

10 MR. ROBERTS: But you are losing 22, so
11 it is really about 39 --

12 MR. TUVEL: That's not -- that is not
13 true. If that wasn't clear, then again I apologize
14 for that. That's not true either.

15 We are losing 17 spaces that are there
16 now. The Lieb building -- this was all in the
17 table -- the Lieb building is being demolished,
18 which has a demand of 17 spaces. We counted 19, and
19 you counted 22. I will give you the benefit of the
20 22 for now, so that would be actually a plus five,
21 so that is a five space difference right there.

22 Then the building itself has a demand
23 of 16 spaces, so that is what we need to provide,
24 that difference, not -- the loss of 22 is accounted
25 for by the fact that we are also taking down a

1 building, so the math is all in there, and we are
2 happy to walk through it again if it needs to be --

3 MR. ROBERTS: Right.

4 And I've spent a lot of time getting
5 into the math of that table, and I think there is a
6 couple of missing pieces, and all I am saying, Mr.
7 Olivo, who I believe was involved in all three
8 applications, can clear that up in testimony.

9 MR. TUVEL: Yes, yes. Okay.

10 CHAIRMAN HOLTZMAN: Okay.

11 MR. GALVIN: Next topic.

12 CHAIRMAN HOLTZMAN: Next topic.

13 COMMISSIONER PEENE: I believe the
14 handicapped access is up there, and that was a
15 pretty big issue for us last time.

16 MR. TUVEL: Yeah. I think he said
17 it --

18 COMMISSIONER PEENE: Yeah, and I know
19 he did it, but we're going to wait on that --

20 COMMISSIONER GRAHAM: We said we were
21 going to wait --

22 CHAIRMAN HOLTZMAN: Mr. Doyle, did you
23 have something else?

24 COMMISSIONER DOYLE: No.

25 CHAIRMAN HOLTZMAN: Okay.

1 MR. TUVEL: I just wanted to add on the
2 handicapped accessibility, and I should have said
3 this earlier, that we did take Andy's
4 recommendation, and we put two ADA accessible stalls
5 closer to the building. I think that's what you had
6 requested -- you thought that was a good idea, and
7 we looked at it and we thought it was, too.

8 CHAIRMAN HOLTZMAN: Okay.

9 MR. HIPOLIT: I mean on the rest --

10 MR. GALVIN: You're going from back to
11 front.

12 Is there anything else?

13 MR. HIPOLIT: I mean everything else in
14 my letter. I mean the issues that I thought we
15 needed more testimony on, I covered. The rest of
16 the stuff I think is self-explanatory in my letter.

17 CHAIRMAN HOLTZMAN: Mr. Roberts?

18 MR. ROBERTS: Yes, Mr. Chairman.

19 There were really three issues: The
20 parking, the question about whether there was any
21 other additional space on campus that might be
22 available, so that could be devoted to what the
23 North Building is intended for, so the North
24 Building potentially could be downsized to meet the
25 setback requirements and the separation

1 requirements. That was a question that we had
2 asked.

3 I think -- I suspect the answer is
4 there is no other space available, and I think it is
5 fair to explore considering the concerns about the
6 modular construction and the urgency of choice of
7 using modular construction and the potential impacts
8 on the neighborhood, so that is in the letter, and
9 that certainly can be addressed.

10 Then lastly, I had an issue about --
11 well, not an issue really -- it was really just,
12 again, trying to understand the improvements that
13 are being done, and it is clearly stormwater
14 improvements for this particular site.

15 But given the fact that what I noticed
16 in the Gateway application, we looked at the
17 resolutions for both Gateway and Babbio --

18 MR. TUVEL: Okay.

19 MR. ROBERTS: -- there was a lot of
20 stormwater improvements being proposed to Gateway.
21 I think it was something like over a hundred feet of
22 pipe that was being put in the ground for storage,
23 and that was 700 feet down from where there is
24 already issues, stormwater issues on Hudson Street,
25 which is uphill from our site.

1 So it could be that the stormwater
2 solutions that are being proposed, both green
3 infrastructure and otherwise, that are making
4 improvements for this site are actually helping the
5 overall stormwater for the large campus, or they
6 could be completely isolated.

7 I just think it would be helpful to
8 know that in context, and that's pretty much it. I
9 mean, I think those were the three main issues that
10 I spent the most time on, which is parking, the
11 potential alternative distribution of space to try
12 to eliminate any variances, which effectively would
13 mean maybe we don't need to have modular
14 construction. Maybe we could have stick built.

15 And then lastly, the stormwater for
16 this site in context with the stormwater for the
17 rest of the campus, and that was pretty much it.

18 CHAIRMAN HOLTZMAN: Okay.

19 Thank you.

20 MR. TUVEL: Can I ask a question on one
21 of those points?

22 And I read through the report, and our
23 planner read through it as well, and we had a
24 discussion about you're equating a building
25 separation variance to the modular construction.

1 You are relating them as to, well,
2 maybe you could change -- if the variance is related
3 to the method of construction, and I don't
4 understand that.

5 The footprint is the footprint. The
6 method of construction, whether it's modular or a
7 conventional brick building, it won't change. The
8 footprint will always be the same, so I don't
9 understand how the building separation variance,
10 which are only one to two feet each, they're de
11 minimus, and they only abut Stevens' properties.
12 They don't abut any non Stevens' properties.

13 I don't under -- and now that we
14 complied with the coverage, and we are going to be
15 actually improving the open space ratio, so I don't
16 understand how the modular construction -- we don't
17 need a variance for type of construction --

18 MR. ROBERTS: No, that is true.

19 MR. TUVEL: -- so I don't know how that
20 relates to your building separation. I don't see
21 it.

22 VICE CHAIR MAGALETTA: Yeah. But that
23 goes to the question we had for your architect the
24 last time. That was the question, and your
25 architect never answered the question. He was

1 trying to find out, well, what is driving this
2 design.

3 And because we never got a straight
4 answer, he is still trying to get the answer, and I
5 think maybe you are getting closer to the answer for
6 him --

7 MR. TUVEL: I think the -- yeah, I was
8 trying to understand why you're equating a variance
9 to a method of constructions --

10 MR. HIPOLIT: Well, it's building
11 shape, so the building you have right there, is it
12 that shape and size --

13 MR. TUVEL: Okay. That is fine.

14 MR. HIPOLIT: -- plus it's modular --

15 MR. TUVEL: That's fine.

16 MR. HIPOLIT: -- or is it that shape
17 and size because you can build it any shape and
18 size --

19 MR. TUVEL: Okay.

20 So I think -- so I think that clears it
21 up for us is that, well, what wasn't clear at our
22 initial meeting or at the first public hearing, does
23 this space need to be of this size and this shape,
24 but it doesn't -- so I think the answer is --

25 VICE CHAIR MAGALETTA: No, no.

1 Why is -- it doesn't need to be that
2 shape and size. Why is it the shape and size?

3 That is a better question.

4 MR. TUVEL: Fine.

5 MR. ROBERTS: Then, Jason, in my
6 letter, I say at a previous hearing, the applicant's
7 architect was questioned as to whether there was any
8 specific hardship in complying with the building
9 separation regulations given the relatively small
10 deviations that are being requested --

11 MR. TUVEL: Right.

12 MR. ROBERTS: -- and so basically the
13 idea is because it is modular, that you can't be
14 flexible --

15 MR. TUVEL: That wasn't clear, so the
16 answer is probably -- and the architect will testify
17 to this -- it just deals with the need for certain
18 space requirements that Stevens has --

19 MR. ROBERTS: -- and that is why I
20 asked about, well, can some of that be solved in
21 other buildings on the campus, and we never really
22 got into that, because if it can be, then maybe
23 there is another solution to this.

24 MR. TUVEL: Yeah. I think again that
25 that's a deviation to a campus issue as opposed to

1 what are the positive and negative criteria that a
2 building separation --

3 CHAIRMAN HOLTZMAN: He is trying to
4 help you by eliminating a potential ask, right?

5 He's trying to eliminate the variance.
6 That's all he's trying to do, and if there is a
7 justification for it, it might be okay, but let's
8 just understand why, and I think that is a pretty
9 simple --

10 MR. TUVEL: And I am not --

11 CHAIRMAN HOLTZMAN: -- I think you are
12 trying to make it a little more complicated --

13 MR. TUVEL: -- and you might be
14 right --

15 CHAIRMAN HOLTZMAN: -- keep this one
16 simple.

17 MR. TUVEL: -- and that's why I --

18 MR. ROBERTS: And also we have been
19 trying to be careful about not being myopic about
20 how we look at each of these applications because it
21 is based on the entire campus, so --

22 CHAIRMAN HOLTZMAN: And we are not
23 talking about that, but maybe there is an easier
24 solution, and he is just trying to raise it, and
25 maybe somebody has a light bulb that goes off, and

1 goes, oh, yeah, great, and then we don't have to ask
2 for the variance. Good.

3 MR. ROBERTS: Or if the answer is there
4 is no other solution, this is all we have left --

5 CHAIRMAN HOLTZMAN: Then that might be
6 just fine, too.

7 MR. ROBERTS: -- then we have a
8 hardship --

9 CHAIRMAN HOLTZMAN: Right.

10 MR. TUVEL: Okay.

11 MR. ROBERTS: -- and I think the
12 stormwater, I think is probably -- I think I know
13 the answer to it, but I think it would be helpful
14 for the Board to hear it from the applicant about
15 how this stormwater relates to other, you know, the
16 stormwater as a, you know --

17 MR. TUVEL: Okay.

18 MR. ROBERTS: -- if you are just
19 capturing what is generated by this, you know,
20 building square footage --

21 MR. TUVEL: So I intended based on --
22 even before, but after seeing Andy's report and your
23 report, to have not only our civil engineer, but
24 have Elizabeth, who is actually all for research is
25 based around this building with the rain garden, and

1 it's our intention to testify on a lot of that, so I
2 think you will get those answers.

3 MR. ROBERTS: Okay.

4 That was it, Mr. Chairman.

5 CHAIRMAN HOLTZMAN: Yes.

6 With regards to that, I think it's
7 going to be -- I hope it is positive to have her. I
8 don't think we need to, though, get into a situation
9 where we are needing to understand how Stevens is
10 using this as an instructional tool. That's good,
11 that is great, that there's an added scholastic
12 benefit to those things. I don't think that we
13 probably need that.

14 MR. TUVEL: I understand.

15 CHAIRMAN HOLTZMAN: Hang on.

16 We are going to circle back to the
17 Board, but we do have a number of people from the
18 public that are here. I want to see if there is
19 anyone from the public that wishes to make any
20 comments or questions.

21 We are trying to -- come on up, Mr.
22 Kratz -- we're trying to make this as sort of an
23 open work session type as possible.

24 MR. GALVIN: Right.

25 So understand that this really isn't

1 going to be public comment for the case because
2 we're going to get to that --

3 MR. KRATZ: This is a workshop.

4 MR. GALVIN: Yes.

5 CHAIRMAN HOLTZMAN: Could you just have
6 the two -- Jason, just take that -- yes. Let's have
7 the building picture up, if you could.

8 The building picture, please, the front
9 elevation.

10 MR. TUVEL: Okay, I'm sorry.

11 CHAIRMAN HOLTZMAN: There you go. It
12 is like a magic act. They keep --

13 (Laughter)

14 MR. KRATZ: Are they marked?

15 MR. TUVEL: No. These were already
16 submitted to the Board, so --

17 CHAIRMAN HOLTZMAN: So they are part of
18 the application.

19 MR. TUVEL: -- they are part of the
20 record.

21 MR. GALVIN: My point is sometimes I am
22 talking to the judge, not to you.

23 CHAIRMAN HOLTZMAN: Mr. Kratz, good
24 evening.

25 MR. KRATZ: Allen Kratz, K-r-a-t-z,

1 1245 Bloomfield Street.

2 I want to say that I have lived here
3 many years, and I very much appreciate Stevens as
4 being an innovative part of our community. It
5 really sets a lot of standards for us, and we admire
6 them for their scholastic --

7 MR. GALVIN: Allen, raise your right
8 hand --

9 MR. KRATZ: I'm sorry.

10 MR. GALVIN: -- because you are kind of
11 testifying, not asking questions.

12 Do you swear or affirm the testimony
13 you are about to give in this matter is the truth,
14 the whole truth, and nothing but the truth?

15 MR. KRATZ: I do so affirm.

16 MR. GALVIN: Thank you so much.

17 MR. KRATZ: Stevens is a great exemplar
18 of our community, but I am going to pick up, Mr.
19 Chairman, on your comment at the beginning that the
20 design that we see here really does not bespeak an
21 innovation university.

22 This is a very standard -- either one
23 of these is very standard. It doesn't really have
24 an esthetic appeal.

25 The one on the left is a simple

1 Neo- Georgian thing. It really looks like a look
2 like a pastiche. It's just some Georgian
3 embellishments put on a box, and we really, I think
4 as a community, we want to look up to Stevens with a
5 higher level of finish and a higher level of
6 architecture. This is really a school that in many
7 ways is excellent, but I don't see it here tonight.

8 CHAIRMAN HOLTZMAN: The school had won
9 the solar decathlon with the wonderful house that we
10 saw on the waterfront --

11 COMMISSIONER JACOBSON: The shore --

12 CHAIRMAN HOLTZMAN: -- the shore house,
13 right.

14 MR. KRATZ: And the Edmund Stevens Hall
15 is another good example.

16 So, again, this does not fall into that
17 category.

18 Thank you very much.

19 CHAIRMAN HOLTZMAN: Thank you, Mr.
20 Kratz.

21 Any other members of the public that
22 wish to speak?

23 Sure. Come on up.

24 MR. GALVIN: Raise your right hand.

25 Do you swear or affirm the testimony

1 you are about to give in this matter is the truth,
2 the whole truth, and nothing but the truth?

3 MR. SOMERVILLE: I do.

4 MR. GALVIN: State your full name for
5 the record and spell your last name.

6 MR. SOMERVILLE: Paul Somerville,
7 S-o-m-e-r-v-i-l-l-e.

8 MR. GALVIN: Street address, Mr.
9 Somerville?

10 MR. SOMERVILLE: 1245 Bloomfield
11 Street.

12 MR. GALVIN: Thank you so much.
13 You may proceed.

14 MR. SOMERVILLE: I would like to echo
15 the comments that Allen made about the buildings.

16 Although I understand the one on the
17 right has some issues with the material itself, if I
18 had to choose, I would choose something more
19 innovative, like the one on the right.

20 The fenestration patterns I think are a
21 little off, but the one on the left I think is not
22 close enough to match the existing housing on the
23 campus --

24 MR. TUVEL: Before we keep going, let
25 me just say that the one on the left is T-100, and

1 that was dated, so we have it for the record,
2 7/19/16. That's the one on the left.

3 And the one on the right is also T-100,
4 and that was dated 6/9/16, just so I know what
5 you're referring to.

6 MR. SOMERVILLE: Right.

7 And I have spoken to this Board before.
8 A lot of what I see is through the lens of a
9 preservationist.

10 And the campus currently has many eras
11 of architecture represented, and so this is an
12 opportunity that I think that Stevens could
13 exercise, you know, construction of a building that
14 is worthy of this era, not one that looks to the
15 past, but one that looks to the future.

16 And along the lines of preservation,
17 oftentimes we think we are only talking about the
18 built environment, and this Board spent a lot of
19 time tonight talking about the staging of the
20 modular construction. But one of the factors will
21 be where the staging actually happens on campus, not
22 just how these objects get to the campus, but what
23 happens when they get up there.

24 These are large boxes it sounds like,
25 and they are going to have to be parked somewhere

1 before they're actually hoisted into place.

2 And while that is going on, any number
3 of things can happen, not just what we heard about
4 in terms of curbs being destroyed, lamp posts
5 needing to be moved, but one of the things that I
6 think needs to be considered is what happens to the
7 historic trees.

8 Preservationists don't only concern
9 themselves with the built environment. Sometimes
10 you are talking about things like living things for
11 view corridors, or in the case of a promontory, that
12 is Stevens itself. Some of those trees probably
13 date from the prior estate here, and we're talking
14 300 years, and when you start putting trucks and
15 large boxes on top of their roots, you are going to
16 kill them.

17 They probably only survived the
18 chestnut light because they are sort of in their own
19 little eco system out there, so that has to be
20 considered in all of this.

21 Lastly, one of the conditions of the
22 approval of the demolition of the Lieb Memorial Act
23 was that Stevens would engage with the Historic
24 Preservation Commission to create a historic
25 district as notated in the master plan. That

1 historic district contains some early American --
2 I'm sorry -- native American repositories. When you
3 do any kind of excavation, that has to be taken into
4 consideration. This is going to be an archeological
5 date, and that is all I have to say.

6 CHAIRMAN HOLTZMAN: Thank you, Mr.
7 Somerville.

8 MR. TUVEL: When you were speaking, Mr.
9 Somerville, about the tree issue, I did speak with
10 Mr. Maffia about that, and we are not going to get
11 rid of any trees, other than those, and we will
12 submit the arborist letter to Mr. Roberts, who I
13 know is also a landscape architect, and Mr. Hipolit.

14 There are some trees on the campus in
15 that area that are dying, and we did have an
16 arborist to come take a look at them to verify that.
17 But other than that, there will no disturbance of
18 any trees.

19 MR. SOMERVILLE: I didn't mean to imply
20 that it would be intentional.

21 MR. TUVEL: We will work with the
22 arborist on those types of issues.

23 CHAIRMAN HOLTZMAN: Thank you.
24 Any other members of the public that
25 wish to speak?

1 Sure. Come on up.

2 MR. GALVIN: Raise your right hand.

3 Do you swear or affirm -- wait until I
4 get there -- do you swear or affirm the testimony
5 you are about to give in this matter is the truth,
6 the whole truth, and nothing but the truth?

7 MS. PREGIBON: I do.

8 MR. GALVIN: Please state --

9 MS. PREGIBON: Susan Pregibon,
10 P-r-e-g-i-b-o-n. 624 Hudson Street.

11 MR. GALVIN: You may proceed.

12 MS. PREGIBON: I am representing the
13 Hudson Street Alliance this evening, and we, as well
14 Mr. Galvin, went through every single meeting of the
15 Gateway project and every single meeting of the
16 Babbio Garage.

17 MR. GALVIN: You earned your merit
18 badge.

19 (Laughter)

20 MS. PREGIBON: That is right.

21 We were opposed to the Gateway project
22 for many reasons, one of them being parking.

23 We were a proponent in favor of
24 completion of the Babbio Garage because of parking.

25 And when I hear that parking is maybe

1 not an issue in whether it is this application or
2 others, it is extremely disturbing to us because
3 that is our number one issue in our neighborhood and
4 why we continue to work with Stevens and to get this
5 thing right because we are at the disadvantage here.

6 MR. GALVIN: Now, just let me jump in
7 here.

8 Our guys are doing the right thing.
9 They are asking for an analysis of the parking.

10 MS. PREGIBON: Exactly.

11 MR. GALVIN: We are concerned with the
12 impact and that everything came out right.

13 MS. PREGIBON: Right.

14 MR. GALVIN: On the other hand, okay,
15 this is where I have to be the fair guy --

16 MS. PREGIBON: Okay.

17 MR. GALVIN: -- they are talking about
18 this precise location, and Mr. Tuvel is making the
19 argument that for the development that's occurring
20 here, the parking analysis says that they require
21 this much, and it's actually, with some changes they
22 have made, they are going to show us, or they
23 believe they can show us, they provide a sufficient
24 amount of parking, but it doesn't help the
25 overall --

1 MS. PREGIBON: Can you explain -- can
2 you explain to me then what the parking analysis is?

3 I don't understand the formula or the
4 algorithm that is used for it --

5 MR. GALVIN: Well, you can --

6 MS. PREGIBON: -- or how it actually
7 relates --

8 MR. GALVIN: -- sorry.

9 MS. PREGIBON: -- to how many cars are
10 on the campus at any given time.

11 CHAIRMAN HOLTZMAN: So there is two
12 parts to this, right?

13 There's the application at hand, and
14 that is what we have a legal jurisdiction on --

15 MS. PREGIBON: Right.

16 CHAIRMAN HOLTZMAN: -- and then there
17 is the bigger story, which we all know, which is the
18 master plan that they say -- we know that they have
19 hired a planner, and they are working forward on.
20 But that is not the topic of conversation for this
21 application.

22 It is important, but that's not
23 where -- we can't go there. That is not where we
24 are at.

25 MS. PREGIBON: Okay.

1 CHAIRMAN HOLTZMAN: I think, though,
2 that there's a fair question, which they are going
3 to get to the bottom of, and we're not going to do
4 it here tonight, but they are going to double check
5 all of the math on this as to what the requirements
6 are.

7 They are going to also double check the
8 record with all of those meetings that you folks
9 went through and that Mr. Galvin went through, that
10 there wasn't a previous allocation of the spaces
11 that they are telling us are there now for this
12 application.

13 I think what really gets to the heart
14 of the matter is that some people, who didn't go
15 through all of those meetings, think that during
16 those Zoning Board meetings, there were a number of
17 spaces that were talked about, like, okay, we are
18 going to use these spaces here, and we just want to
19 make sure they are kind of not double dipping.

20 We don't have the answer to that in a
21 clear form yet, but I will put my money on it that
22 between the three of these guys, they are going to
23 be able to say yes or no to that by the time we are
24 back here.

25 MS. PREGIBON: Okay.

So I would ask the gentlemen that will be looking into that to also ask why, and perhaps Mr. Doyle can answer this question, why we gave away 60 parking spots in the municipal garage to the deterrent of the residents, because now there is a three-year waiting list to get into that garage, and no residents can get into that garage now.

COMMISSIONER DOYLE: So you are asking me why would this application under the law we have to look at this application and not that the 60 parking spaces that the municipality chose to do what they did with, they are apples and oranges, and they are unfortunate, but we are constrained by the law.

MR. GALVIN: I agree with that.

CHAIRMAN HOLTZMAN: I would agree with it also, but I think, Ms. Pregibon, you bring up a fair point. Unfortunately, it is not relevant to this application, but Mr. Doyle is one of your elected representatives --

MS. PREGIBON: I understand that.

That's why I asked --

CHAIRMAN HOLTZMAN: Right. I think that's an off lying conversation for you guys.

MR. GALVIN: But one of the things that

1 is important is while we are saying that we have to
2 stay specific to this application, you heard us
3 tonight put pressure on Stevens about getting that
4 permit for the Babbio Garage to create that parking,
5 to start to try to pump the system, to make the
6 system work --

7 MS. PREGIBON: Right, and we
8 appreciate that because we did -- we were proponents
9 of it. We wanted it to be, because it was good for
10 Stevens. It was good for our community. It was
11 good for all of Hoboken.

12 MR. GALVIN: But there might be some --
13 I am not conceding much to Mr. Tuvel. You know,
14 it's like he is not conceding much to me. But there
15 is a limit to what this Board can do, and it is kind
16 of a complicated situation with a campus like this.

17 Things are interactive, and we have to
18 be alert to that. And then sometimes we have these
19 applications that are individual. I don't know how
20 a judge would look at this, if we had to go to court
21 over the issue. We certainly don't want to go to
22 court, if we don't have to, so that's what we're
23 trying to work out tonight.

24 We kind of are coming to -- we want to
25 get to a fair accommodation, and we are very

1 concerned about what your concerns are, and I
2 believe that we are on the right track. Stevens is
3 on the right track. They are trying. They hired a
4 planner. They met with our personnel. I don't
5 think it will be quick, but I think if everybody
6 stays on the mission, I believe that we will get a
7 better planning process for Stevens in the future.

8 CHAIRMAN HOLTZMAN: You know, there is
9 another thing that also further complicates this
10 application, which is normally when we deal with any
11 applications, like the previous one, it is 50 by a
12 hundred feet.

13 Well, that is our jurisdiction, and
14 what happens on the other side of the property line
15 is relevant to a building that is here, but here
16 there are no like normal building lines. There are
17 no normal building lots because we have a campus
18 type setting, so it kind of just makes it a little
19 bit more difficult as to when discussing the
20 boundaries as to what part is in play, and what part
21 is not in play.

22 MR. GALVIN: Right.

23 And I am not a hundred percent sure
24 myself. I am trying to figure it out as we go
25 along, so --

1 MR. TUVEL: Just a few things that were
2 mentioned there.

3 I agree with you on the double dipping
4 issue. Obviously, that cannot be the case in terms
5 of parking spaces, and we have not done that. We
6 have allocated spaces properly, but I agree with you
7 to make sure that that is correct. That's fine.

8 The 60 spaces that I believe you were
9 talking about happened in connection with the Zoning
10 Board application for the Gateway, and I know it is
11 separate and apart from this, but just to address
12 it:

13 Number one is that they are temporary.
14 They are only during peak construction of the
15 Gateway building and the Babbio Garage, so once the
16 Babbio Garage --

17 MS. PREGIBON: They are being used
18 right now.

19 MR. TUVEL: -- and then the other
20 item --

21 CHAIRMAN HOLTZMAN: So what is the
22 scope of the temporary usage?

23 MR. TUVEL: It terminates once the
24 Babbio Garage goes online.

25 MR. GALVIN: Because then the spaces

1 will be available in the Babbio Garage, and that is
2 why we want them to speed up the process and start
3 the construction.

4 MS. PREGIBON: And we would like to
5 have it speed up --

6 MR. TUVEL: Yeah, and that was --

7 (Mr. Tuvel and Ms. Pregibon speaking at
8 the same time)

9 CHAIRMAN HOLTZMAN: One at a time,
10 please. Just one at a time.

11 MR. TUVEL: -- and that was discussed
12 at the Gateway meetings, and it's part of the
13 overall Gateway parking demand.

14 Also, when we get the spaces from the
15 parking authority, the parking authority checked to
16 ensure that they had the spaces available, so it is
17 not like we just got them. We made sure they were
18 available.

19 MS. PREGIBON: Well --

20 CHAIRMAN HOLTZMAN: Ms. Pregibon isn't
21 happy with that, and she is entitled to her opinion
22 on that as well.

23 MR. TUVEL: Sure, absolutely. She is
24 entitled to her opinion.

25 MR. GALVIN: That is why the Board

1 wanted them to be temporary, okay?

2 MS. PREGIBON: Thank you.

3 CHAIRMAN HOLTZMAN: So those spots go
4 back into the general parking --

5 MR. TUVEL: Correct.

6 CHAIRMAN HOLTZMAN: -- lot when the
7 Babbio Center garage is online.

8 MR. TUVEL: That's correct.

9 CHAIRMAN HOLTZMAN: That can't happen
10 fast enough, right?

11 MS. PREGIBON: That can't happen fast
12 enough.

13 MR. GALVIN: The only thing in Stevens'
14 defense is they have to get through the DEP, and
15 that sometimes is a bit of a pain in the neck.
16 They're not going to see the urgency the way we do.

17 MS. PREGIBON: Well, I could certainly
18 testify in favor of that.

19 (Laughter)

20 MR. GALVIN: There you go.

21 CHAIRMAN HOLTZMAN: Thank you, Ms.
22 Pregibon.

23 Are there any other members of the
24 public that wish to speak?

25 Okay.

1 MR. GALVIN: When are we going to carry
2 this matter to is the next question unless the Board
3 has other questions or concerns.

4 COMMISSIONER STRATTON: I just
5 wondered, have we -- if this is -- I never
6 participated in an SSP meeting, and I feel like
7 that --

8 MR. GALVIN: This is kind of a hybrid.
9 I am making this up as I go along.

10 COMMISSIONER STRATTON: I mean, have we
11 communicated as a Board, as individual members of
12 the Board effectively, so Stevens understands what
13 they need to do to improve the application, so we
14 can come to a consensus?

15 MR. GALVIN: Well --

16 COMMISSIONER STRATTON: I see this as a
17 necessary step for advancing a number of issues it
18 seems, so I want to make sure that we have
19 communicated very clearly that there is consensus on
20 behalf of the Board.

21 How do we communicate together and with
22 Stevens --

23 MR. GALVIN: Let me say this.

24 They have to listen to what -- they
25 have to figure it out themselves. They have to put

1 the pieces of the puzzle together. If they want to
2 make changes based on what they heard tonight, they
3 will make changes. They will make those changes
4 because they think that it will help advance their
5 project.

6 If they don't agree with some of the
7 things that we said tonight, they don't have to make
8 a change. They have two architectural choices.
9 They could have a third choice. They can do
10 whatever they want.

11 That's what I am saying, that this was
12 a chance to interact and try to figure things out.
13 If they need to figure more out, they need to ask
14 Andy or Dave a question right now and get a
15 response. You don't have to tell them what you
16 would approve.

17 You know, we are just telling them we
18 had some major concerns that probably would have
19 taken this long at the next meeting, so now we get
20 these bugs worked out. They will come back. We'll
21 hit the reset button. They will present it in a
22 nice clean fashion with these issues resolved, and
23 it will be a different ball game.

24 Do you have a concern that you want to
25 express at this point?

1 CHAIRMAN HOLTZMAN: Right. Because we
2 often have many times seen applications, and this is
3 not normal for an SSP meeting, so we will clear that
4 up. But we have many times applications that come
5 to the Board that are deemed complete by the SSP
6 team. They advance. They come before the Board.
7 They make a presentation. It is very clear that the
8 Board is not happy with a lot coverage issue, a
9 height request variance or some other issue.

10 Yet, the applicant storms ahead, and
11 that is what I want, that is my application, and
12 that is what I like, and I am not interested in
13 really making any changes to it, at which point the
14 Board makes its decision to vote accordingly.

15 If they think that their ask is too
16 much, we vote no.

17 If we decide there is a compromise, if
18 there's offsetting penalties, then we say yes.

19 So that is really what happens. They
20 don't have to do what the heck we ask. They can
21 present any application they would like.

22 COMMISSIONER STRATTON: Can I offer my
23 opinion then?

24 CHAIRMAN HOLTZMAN: You absolutely can
25 and should at this point.

1 MR. GALVIN: But not on the ultimate of
2 whether you would approve the whole case.

3 COMMISSIONER STRATTON: Of course.

4 I think that you have obviously gone
5 above and beyond and listened to many of the
6 concerns that we had.

7 I think that the application we saw
8 tonight was far better and improved over what we saw
9 the last time. So I appreciate the extent that you
10 were trying to accommodate what the Board has
11 questions about and to work with us on issues that
12 are I think valid and need to be addressed, so thank
13 you.

14 CHAIRMAN HOLTZMAN: One second.

15 Mr. Doyle?

16 COMMISSIONER DOYLE: I was hoping
17 maybe, and maybe you don't have anybody here who can
18 explain this, but --

19 CHAIRMAN HOLTZMAN: I don't think there
20 is anybody left on Stevens' campus, so you probably
21 got a good chance of it going.

22 (Laughter)

23 COMMISSIONER DOYLE: Well, I am looking
24 at the building on the left --

25 MR. TUVEL: Right.

1 COMMISSIONER DOYLE: -- I am imagining
2 extremes, you know, of plywood painted red with
3 white lines painted on it and actual brick.

4 I don't know where in between it is,
5 but to the two residents that came up, I think from
6 my perspective, and as the Chairman said earlier, we
7 are not here as an architectural review board, but
8 the building on the right is dramatically better as
9 far as I'm concerned than the building on the left.
10 And you have gone and bent over backwards to help us
11 out and, you know, to bring in the one on the left.
12 But if you told me it is a brick building, you know,
13 attached to the modular building behind it, versus a
14 prefab wall that is made to look like brick, I would
15 be curious which of the two it is because as has
16 been said, making it look like whatever, Gothic or
17 Georgian era that you are working for it's not
18 working for me. But, again, I am curious about the
19 construction.

20 CHAIRMAN HOLTZMAN: Thank you, Mr.
21 Doyle.

22 I would second Mr. Doyle's
23 architectural review. That given the two options
24 that are before us, I am more of a fan of the
25 original look, which has sort of a mid century

1 modern type of a design to it.

2 On the other hand, the comments that
3 were made previously were really more about the
4 material, the exterior material and its durability,
5 because when this whole conversation started, and I
6 am going to say something, but I am not trying to be
7 snarky here, so just give me a little room --

8 MR. TUVEL: Okay.

9 CHAIRMAN HOLTZMAN: -- when it started,
10 it was kind of a temporary thing and its durability
11 was not so much of a consideration. And then it
12 changed into this modular swing space building,
13 which meant it is going to be around for, let's go
14 ten years, right, because it is not going away
15 quickly, but let's just throw that out there. It
16 became a durability issue of the exterior
17 construction of that building.

18 I think that was more of the concern
19 than the look. That is my personal view on it.

20 MR. TUVEL: Yeah.

21 Just to answer Councilman Doyle's
22 question --

23 CHAIRMAN HOLTZMAN: I want to just
24 circle up. Can we just circle Mr. Somerville back
25 in here? He is one of our local preservation

1 authorities.

2 MR. SOMERVILLE: I was the Chair of the
3 Preservation Commission for a while, and I just want
4 to amplify what Mr. Doyle said.

5 If Stevens is genuine in their word
6 about working with the Preservation Commission to
7 actually get the entire campus designated as a
8 historic district, which is part of the master plan,
9 then all of what Mr. Doyle described, the materials
10 would be reviewed at that Board, and we wouldn't be
11 guessing at what we are going to get here, because I
12 had the same reaction.

13 Are we looking at plywood?

14 Is this pastiche wood?

15 What is it?

16 And the EFIS stuff is so problematic,
17 that it is not even allowed to be used on Government
18 buildings. It was originally designed for
19 structures in the southwest, low humidity, and in
20 that environment only above the first floor because
21 it dents so easily.

22 So if Stevens works with the
23 Preservation Commission and actually becomes a bona
24 fide historic district, then all of that material
25 review would happen there, and that would be the

1 case for everything else that happened on campus.

2 That's long overdue.

3 The State Preservation office told the
4 City of Hoboken many years ago before the light rail
5 went through, when it was being considered for the
6 eastern alignment, that the entirety of the campus
7 is a historic district, and it's about time that we,
8 you know, recognize it as such, and we wouldn't be
9 guessing at materials.

10 And furthermore, if you were to choose
11 a category of materials that were modern, when you
12 start to think about other housing options on
13 campus, which may include building on top of what
14 you already got, the contrast of the materials
15 between the 1960 structures and something like that
16 would be a beautiful compliment.

17 But those buildings date from 1966
18 under the Secretary of Interior standards for
19 treatment of historic property, they would now be
20 under the purview of the Preservation Commission, so
21 now we can go drink dinner.

22 CHAIRMAN HOLTZMAN: Great.

23 Mr. Peene?

24 COMMISSIONER PEENE: I just wanted to
25 echo --

1 MR. TUVEL: Before you move forward,
2 can I just respond to some of the items that were
3 mentioned?

4 CHAIRMAN HOLTZMAN: Are you sure?

5 MR. GALVIN: I think you just wanted to
6 listen.

7 MR. TUVEL: Well, there was one thing
8 that I just need to respond to --

9 CHAIRMAN HOLTZMAN: Okay.

10 MR. TUVEL: -- I'm sorry. I feel like
11 I have to, I'm sorry --

12 CHAIRMAN HOLTZMAN: Okay, okay.

13 MR. TUVEL: -- which is the designation
14 of the historic district issue.

15 As part of the master plan that we're
16 working on with the city, there is going to be a
17 historic preservation element as to Stevens with
18 respect to that.

19 The fact is we are not looking to
20 designate the whole campus, though, as a district.
21 We are looking at different aspects of the historic
22 preservation.

23 I know the letter that you are
24 referring to with respect to the transit project,
25 that suggested that Stevens was eligible, and we are

1 looking at different historic preservation aspects
2 to the master plan, but we are not looking at
3 designating the whole campus as a district.

4 I apologize for interrupting. I just
5 wanted to get that on the record.

6 MR. SOMERVILLE: Well, the city --

7 CHAIRMAN HOLTZMAN: No, no, no. We are
8 not going down that rat hole --

9 MR. SOMERVILLE: -- that was --

10 CHAIRMAN HOLTZMAN: -- no, no, no.
11 We're done.

12 Thank you.

13 Please, Mr. Somerville, please save it
14 for another day.

15 MR. GALVIN: Save your powder.

16 CHAIRMAN HOLTZMAN: Save your powder
17 for another day.

18 Yes.

19 COMMISSIONER PEENE: Thank you, Mr.
20 Tuvel.

21 When I got this letter, I just wanted
22 to echo what Caleb said.

23 Everything that -- I was sitting down
24 at the end of the table the last time you guys were
25 before us --

1 MR. TUVEL: Right.

2 COMMISSIONER PEENE: -- everything that
3 we had discussed was addressed in the new plan in
4 the letter, and I just wanted to appreciate it.

5 Although we had suggested the brick,
6 some of us here on the Planning Board, I feel like
7 George Constanza right now because we talk and talk
8 and we give suggestions, but we are not really
9 architects, so we would like to leave it to the
10 professionals.

11 MR. TUVEL: Nobody here talked of
12 Vanderlay --

13 (Laughter - people talking at once)

14 VICE CHAIR MAGALETTA: This is more to
15 Caleb Stratton. You know, this is more substantive
16 than an SSP, certainly giving a lot more advice.

17 And then because I guess I opened up a
18 can of worms on the design, as I always said, I hate
19 commenting on design, but the last time we were here
20 some of the people in the audience commented on the
21 design. So I asked the question, can you change the
22 design.

23 Now, as just to the brick, what we have
24 in the past is there are some industrial buildings
25 that are renovated and they are given an industrial

1 touch, so the question is: Now that you have
2 marching orders to design something, you know,
3 again, I am not the design guy, I'm not the
4 architect, so do something different.

5 MR. TUVEL: I just wanted to mention
6 this proposal on the left is the real brick finish.
7 It's not a make-shift, you know, some type of a
8 make-shift type of material. It was real brick --

9 VICE CHAIR MAGALETTA: But if it was
10 brick, then give some industrial pieces, something
11 interesting. Again, that is for you guys to figure
12 out.

13 CHAIRMAN HOLTZMAN: Yeah.

14 In terms of there is also like a cost
15 issue, and we are not looking to run the ticket up
16 here on you either because it looks like that there
17 is more money being spent on designs for a building,
18 that it doesn't sound like the attractiveness of it
19 is getting you any bang for your buck on the left
20 side there.

21 VICE CHAIR MAGALETTA: What I'm saying
22 is maybe something in context with the campus,
23 that's really all I'm suggesting, as opposed to the
24 new structure to me is --

25 (People talking at once)

1 VICE CHAIR MAGALETTA: -- that is all I
2 am saying.

3 COMMISSIONER GRAHAM: I just have one
4 thing.

5 CHAIRMAN HOLTZMAN: Sure, Ms. Graham.

6 COMMISSIONER GRAHAM: I just think we
7 need to be clear the next time on our purview.

8 We talked about parking, and I think
9 the can of worms was opened when they came in and
10 very kindly did a preview of the master plan for us,
11 so we need to look at the whole picture, and I think
12 Dave Roberts' points about the parking is a whole
13 other relevant, but I think we need to understand
14 how we approach that the next time, and I think that
15 is very important.

16 The parking issue is a matter that
17 affects this building and it affects the whole
18 campus, and I think as planners, that is what we
19 need to look at, so we just need to have that
20 clarity.

21 CHAIRMAN HOLTZMAN: Thank you, Ann.

22 Commissioners, any additional questions
23 or comments?

24 I think we had a good session here, Mr.
25 Tuvell.

1 MR. TUVEL: I thought this was very
2 helpful. I really appreciate the Board's input.

3 Just from a procedural standpoint, this
4 was a public hearing, so for notice purposes, we can
5 keep on carrying it.

6 MR. GALVIN: I agree completely.

7 CHAIRMAN HOLTZMAN: I did have one
8 final question --

9 MR. TUVEL: Yes.

10 CHAIRMAN HOLTZMAN: -- I am going to
11 say that I am just going to throw it as a question,
12 but I do not expect, nor do I want an answer this
13 evening, but I think it is a fair question for when
14 you return.

15 We have got a surface parking lot now,
16 and you are going to build this modular building,
17 which is not going to exist forever. I think it
18 would be reasonable to ask what is the expectation
19 of its time frame because it is not intended to be
20 here as a hundred-year-old building, and then what
21 is the anticipation as to what happens on that spot
22 later?

23 Since surface parking lots are
24 certainly not anything that anybody would approve in
25 Hoboken ever again, does a new building go on that

1 spot?

2 MR. TUVEL: I think --

3 CHAIRMAN HOLTZMAN: And I really don't
4 want --

5 MR. TUVEL: -- no, no. I am not going
6 to speculate on that.

7 What I was saying is I think that this
8 building, and I think everybody should view it as a
9 perpetual building for now. I mean, I think that is
10 how everybody has to view it. I mean --

11 MR. GALVIN: I agree.

12 MR. TUVEL: -- it's going to be -- it's
13 going to be -- there's always -- obviously at first
14 it will be home to the computer science people that
15 are in the Lieb building, but I think going forward,
16 you know, as everyone here has pointed out, the
17 campus evolves and things occur, and to have this
18 ability to have swing space in this area, which is
19 kind of a confined area that's not visible from a
20 lot of points, it is valuable to have this building,
21 and I think that's how we should all look at it.

22 CHAIRMAN HOLTZMAN: And I thought that
23 was going to be the answer --

24 MR. TUVEL: Okay.

25 CHAIRMAN HOLTZMAN: -- so that is why I

1 really think you should deliver a really great
2 building for yourselves, because it is not
3 temporary, right?

4 And you guys have the ability when you
5 really put your mind to it to produce terrific
6 buildings like the Babbio Center, win design
7 competitions. It would be great to bring some of
8 that to the table on something that you just said we
9 should consider as a permanent building.

10 MR. TUVEL: So I have my list, Mr.
11 Chairman, just to go through it.

12 We are going to coordinate that meeting
13 with respect to Mr. Hipolit, Mr. Marks, T&M
14 Construction, and the police chief to make sure
15 everybody that needs to be there is there. Okay?

16 We will also look at that limit of
17 disturbance, as Andy mentioned, with respect to the
18 construction site. Look at that.

19 We will come back, and we will talk
20 about the ADA and more specificity, so everybody is
21 comfortable with those issues.

22 The parking, I think we explained that,
23 but I would ask for permission from the Board, if
24 our traffic engineer can reach out to Dave and Andy
25 to discuss it in more detail, and if they are still

1 confused, we are happy to provide more testimony
2 than we already did.

3 CHAIRMAN HOLTZMAN: I don't want any
4 more testimony on that hopefully. I am hoping that
5 you guys are going to come to some conclusion as
6 to --

7 MR. GALVIN: So, yes, meet with Dave
8 and Andy.

9 CHAIRMAN HOLTZMAN: -- meet with Dave
10 and Andy --

11 MR. TUVEL: So our traffic engineer can
12 do that?

13 CHAIRMAN HOLTZMAN: Right. But we
14 don't need additional testimony from the traffic
15 engineer to sit there and count parking spaces for
16 us. That gets resolved with these guys.

17 MR. TUVEL: Okay.

18 We're going to look at whether we can
19 consolidate the lots. That's something that we will
20 look at, and then the other issues relate to just
21 the comments that were made about the architecture.

22 I think everybody was fine on the
23 stormwater management and amenable, and nobody seems
24 to have any problems with that.

25 MR. GALVIN: You just have to put that

1 testimony on.

2 MR. TUVEL: Yeah, of course.

3 CHAIRMAN HOLTZMAN: Right. And we
4 discussed Dr. Elizabeth as to --

5 MR. TUVEL: Yeah, a brief overview.

6 CHAIRMAN HOLTZMAN: -- I don't think we
7 need a lot on that. What we need is to understand
8 what the stormwater capabilities are.

9 MR. TUVEL: Okay.

10 CHAIRMAN HOLTZMAN: Commissioners,
11 anything else?

12 Mr. Tuvel, anything else?

13 MR. TUVEL: Just what could be our next
14 date.

15 CHAIRMAN HOLTZMAN: Yes.

16 MS. CARCONE: Are we talking about
17 doing a special meeting in August?

18 MR. GALVIN: I don't know.

19 What is the Board's temperament?

20 COMMISSIONER GRAHAM: Well, I think the
21 issue is when can they -- how much time do they
22 need?

23 CHAIRMAN HOLTZMAN: Jason, let's --

24 COMMISSIONER GRAHAM: There is a lot of
25 parts here.

1 CHAIRMAN HOLTZMAN: -- there is a lot
2 of moving parts here, right.

3 And we don't want a situation where
4 these guys get put in a pinch because then that
5 makes everybody else tense up here.

6 MS. CARCONE: We also have two projects
7 lined up for our September 6th meeting.

8 CHAIRMAN HOLTZMAN: We are interested
9 in trying to move it as quickly as possible --

10 MR. TUVEL: Right.

11 CHAIRMAN HOLTZMAN: -- but let's not
12 make everybody crazy.

13 MR. TUVEL: Just give me one minute to
14 speak to Mr. Maffia.

15 CHAIRMAN HOLTZMAN: Take all of the
16 time you need.

17 (Counsel confers)

18 (Board members confer as to a date)

19 CHAIRMAN HOLTZMAN: What do you have
20 for us, Mr. Tuvel?

21 MR. TUVEL: Okay. So I don't want to
22 rush this again, so that I want everybody to feel
23 comfortable --

24 CHAIRMAN HOLTZMAN: Because you also
25 have some offline meetings that need to occur as

1 well.

2 MR. TUVEL: -- I completely agree.

3 Can we talk about mid September maybe,
4 sometime around there?

5 MS. CARCONE: How about the 14th,
6 September 14th, a Wednesday?

7 MR. TUVEL: Yeah.

8 That's not a Jewish holiday, right?

9 CHAIRMAN HOLTZMAN: Not for me, it
10 isn't.

11 (Laughter)

12 COMMISSIONER PEENE: Yom Kippur is in
13 October this year.

14 MR. TUVEL: Yeah. Actually, okay, I am
15 okay.

16 MR. GALVIN: All right. Cool.

17 You know, you are supposed to know this
18 stuff, right?

19 MR. TUVEL: I'm asking -- I'm asking --

20 MR. GALVIN: Wait until we tell your
21 mother.

22 COMMISSIONER PEENE: You are asking the
23 Gentile.

24 MR. TUVEL: I know.

25 (Laughter)

1 CHAIRMAN HOLTZMAN: I don't know.

2 Oh, it's Yom Kippur this week, great.

3 (Laughter)

4 MS. CARCONE: So September 14th at
5 7:30.

6 MR. GALVIN: All right. Yes.

7 We have an SSP at 7 o'clock on the
8 14th --

9 CHAIRMAN HOLTZMAN: And we only have
10 one application.

11 MR. GALVIN: -- so we should be done
12 with it in ten or 15 minutes, and we will start 7:30
13 with a Special Meeting.

14 MS. CARCONE: It's not to say that we
15 won't get more projects in the time frame, but --

16 MR. GALVIN: I would really, no. My
17 personal -- oh, you mean more for the SSP?

18 MS. CARCONE: Yes. We are usually fast
19 for that stuff.

20 VICE CHAIR MAGALETTA: Tell them 7:30,
21 but if it's 8 o'clock, it is 8 o'clock.

22 MR. GALVIN: That's right.

23 CHAIRMAN HOLTZMAN: That will work. We
24 will make it work.

25 Does that work for you?

1 MR. TUVEL: Are you going to make an
2 announcement?

3 MR. GALVIN: First of all, do you waive
4 the time in which the Board has to act?

5 MR. TUVEL: Yes.

6 CHAIRMAN HOLTZMAN: Okay.

7 MR. GALVIN: Now --

8 (Everyone talking at once.)

9 MR. GALVIN: -- hold on a second.

10 CHAIRMAN HOLTZMAN: Dennis has the
11 floor, everybody.

12 MR. GALVIN: I need a motion and a
13 second to carry --

14 (Everyone talking at once)

15 MR. GALVIN: -- wait -- to carry the
16 Stevens matter to September 14th without notice.

17 COMMISSIONER PEENE: Motion.

18 COMMISSIONER JACOBSON: So moved.

19 MR. GALVIN: I have a motion and I have
20 a second.

21 COMMISSIONER PEENE: Second.

22 CHAIRMAN HOLTZMAN: All in favor?

23 (All Board members voted in the
24 affirmative)

25 CHAIRMAN HOLTZMAN: Anyone opposed?

1 MR. GALVIN: No.

2 CHAIRMAN HOLTZMAN: Great.

3 COMMISSIONER GRAHAM: Somebody has to
4 tell me whether this is all irrelevant now or
5 whatever.

6 MR. HIPOLIT: I would keep it for now.

7 CHAIRMAN HOLTZMAN: Keep it for now.
8 Keep your packet for now and more to come.

9 MR. GALVIN: And what we are going to
10 do at that hearing on September 14th, I think we are
11 going to start over. I think that that's what you
12 and I are going to come to the conclusion --

13 CHAIRMAN HOLTZMAN: You guys will work
14 that out.

15 MR. TUVEL: Right.

16 COMMISSIONER PEENE: Motion to adjourn.

17 CHAIRMAN HOLTZMAN: Yes.

18 MR. TUVEL: Let's make a motion for the
19 hearing to take place on this day, no further notice
20 required.

21 MR. GALVIN: The hearing is to take
22 place on September 14th at 7:30.

23 Did everybody hear me?

24 No further notice.

25 MR. TUVEL: Thank you. In this room.

1 MR. GALVIN: They heard me on Hudson.

2 (Laughter)

3 CHAIRMAN HOLTZMAN: Motion to conclude
4 our meeting.

5 COMMISSIONER PEENE: So moved.

6 (The meeting concluded at 11 p.m.)

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C E R T I F I C A T E

I, PHYLLIS T. LEWIS, a Certified Court Reporter, Certified Realtime Court Reporter, and Notary Public of the State of New Jersey, do hereby certify that the foregoing is a true and accurate transcript of the proceedings as taken stenographically by and before me at the time, place and date hereinbefore set forth.

I DO FURTHER CERTIFY that I am neither a relative nor employee nor attorney nor counsel to any of the parties to this action, and that I am neither a relative nor employee of such attorney or counsel, and that I am not financially interested in the action.

s/Phyllis T. Lewis, CCR, CRCR

PHYLLIS T. LEWIS, C.C.R. XI01333 C.R.C.R. 30XR15300
Notary Public of the State of New Jersey
My commission expires 11/5/2020.
Dated: August 5, 2016
This transcript was prepared in accordance with
NJAC 13:43-5.9.